

Also, a bill (H. R. 13081) for the relief of Lloyd Massie; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 13082) granting a pension to Henry Bell; to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 13083) for the relief of Capt. Walter Carl Merkel; to the Committee on Military Affairs.

By Mr. HALL of Indiana: A bill (H. R. 13084) granting a pension to Sarah E. Goine; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 13085) granting a pension to George Brill; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 13086) for the relief of Alexander H. Bright; to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 13087) granting an increase of pension to Eva Calvert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13088) granting an increase of pension to Maria S. Carsey; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13089) for the relief of Sarah Maddocks Ferguson; to the Committee on Claims.

By Mr. JOHNSTON of Missouri: A bill (H. R. 13090) granting an increase of pension to Samantha Adamson; to the Committee on Invalid Pensions.

By Mr. LEECH: A bill (H. R. 13091) granting a pension to Edmund James; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 13092) to authorize and adjust and settle the claim of Leslie W. Morse; to the Committee on War Claims.

By Mr. UNDERWOOD: A bill (H. R. 13093) granting a pension to Mary M. Nichols; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 13094) for the relief of H. L. Todd; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7617. Petition of Hennepin County commissioners of Minneapolis, Minn., urging immediate passage of the Couzens joint resolution suspending consolidation of railroads until Congress has further legislated on the subject; to the Committee on Interstate and Foreign Commerce.

7618. By Mr. REID of Illinois: Resolutions adopted by the Illinois Association of Sanitary District Trustees in convention assembled at Aurora, Ill., on June 12, 1930, requesting that reservoirs be constructed upon the headwaters of the rivers and streams in the State of Illinois so that they may be conserved, purified, and their flow facilitated, the cost thereof to be borne in equal parts by the local districts, the State of Illinois, and the United States, or such other division of the cost thereof made as shall be determined to be fair; to the Committee on Flood Control.

### HOUSE OF REPRESENTATIVES

SATURDAY, June 21, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most Gracious Lord, in the quiet of this noonday moment, with its ministries of help and light, may we receive wise incentive for the labors before us. Whatever our tasks may be, may we feel that they are Thine, and with Thy direction may we move forth with trust and dignity. During the days of our lives we would walk with Thee and with our fellow men in a life of loving service. At the eventide to-day may it be our highest joy to find ourselves at the hearths of happy firesides. In the name of Jesus, the lover of men. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11781. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### LETTER FROM AN EX-SERVICE MAN

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, on yesterday the gentleman from South Dakota [Mr. JOHNSON] took the floor in my absence and without notifying me and made an unwarranted attack upon me. He also inserted in the Record a letter from an ex-service man whose name I do not recall ever having heard before. It was a letter I had never seen and for which I was in no way responsible. It seems to have been written by an ex-soldier who lives in Mr. JOHNSON's home town of Aberdeen, S. Dak. Since he has inserted it in the Record, I reproduce it here. It reads as follows:

#### ONE MORE DISABLED VETERAN WANTS JOHNSON BEATEN

UNITED STATES VETERANS' BUREAU HOSPITAL No. 72,

Fort Harrison, Mont., April 21, 1930.

Mr. TOM AYRES,

Manager Dakota Free Press, Aberdeen, S. Dak.

DEAR MR. AYRES: Several of the boys have written to you from this hospital, but I thought I would drop you a line, since I am from Aberdeen, S. Dak. I wish you every success in your campaign for Congressman, and certainly hope that you defeat ROYAL C. JOHNSON.

Mr. JOHNSON, I think, is no sincere friend of the disabled soldiers, since in his position as chairman of the World War Veterans' Legislative Committee his vote caused the tie which ruled out the Rankin bill, H. R. 7825.

What made the men here disgusted was the fact that in the next D. A. V. paper ROYAL C. JOHNSON wrote an article where he blandly mentions that he thinks that the rest of Congress should abide by the decision of the committee, since the majority was not in favor of the Rankin measure, when it was a strict tie, and if JOHNSON had not voted the majority would have gone for the Rankin measure. I do not think it is customary for a chairman to vote, and in this case ROYAL C. JOHNSON voted, causing a tie, and then in his position as chairman ruled the Rankin measure out. I would like very much to have this brought to the attention of the voters, as I am sure if they knew the facts they would give you every support in preference to ROYAL C. JOHNSON for Congressman.

Yours for success,

[Name deleted],

Uncompensated T. B.

I had the cloakroom call the office of the gentleman from South Dakota and notify him that I expected to refer to him on the floor to-day and to reply to some of the statements made by him on yesterday.

In discussing this letter Mr. JOHNSON said:

It is typical of the propaganda which was conducted by the gentleman from Mississippi [Mr. RANKIN].

That statement is untrue. I wrote no such letter, I inspired no such letter. I leave it to the membership of this House—yes; I will omit my Democratic colleagues and leave it to you Republicans—and ask you if I have not been absolutely fair in this fight for veterans' relief.

Some Members on the Republican side asked me to get them paired for the bill in case they were not here. I did my best, but could find no one to pair with them. They were later criticised by the leading service organization in their State for not voting, whereupon I wrote the leaders of that organization a letter explaining the situation and sent the Members involved a copy of it. Does that look as if I was conducting a propaganda campaign to injure some one politically?

The gentleman from South Dakota went on and, in my opinion, violated one of the most sacred obligations which one ex-service man owes to another. He violated the rules of every department of our Government in reference to the publication of records of ex-service men when he inserted the record of this man's alleged misconduct in the service, to try to discredit him.

It is true that he deleted the man's name from the Record, but he read it on the floor, and every man who reads the Record and who saw the paper in which this letter was published will know that this is the same man and without going back and digging up the facts they will take them as published in the CONGRESSIONAL RECORD.

I only regret that I have not the right to expunge it from the Record, because it ought to be expunged. Every service man in the House resents the insertion in the Record of the alleged misconduct of this ex-soldier.

Not only that, but he alleges that "on June 26, 1919, a few days after he enlisted, he shot his own foot." I called up the



War Department and they said that he was accidentally injured in the foot while working in a hangar. The records in the War Department show that he was honorably discharged and that his character was "excellent."

I hold no brief for this young man, but I want to say that the insertion of that letter and the assertion that it is typical of the propaganda that the ex-service men have put out, in appealing to Congress to do something for their suffering and dying buddies, and then coupling with it this alleged misconduct record, is little short of an insult to those disabled veterans who are appealing to us from every State in this Union for the passage of our bill for their relief.

These uncompensated disabled veterans are dying now at the rate of more than 70 a day, and it is my contention that they and their children have a right to expect at the hand of their Government some manifestation of gratitude in times of peace for their services to the Nation in times of war. [Applause.]

This young man was in a veterans' hospital, it seems, when he wrote this letter. He saw the suffering of those unfortunate boys at Fort Harrison, who are there from South Dakota, Montana, North Dakota, and other Northwestern States. He was appealing for help for them. And I say it is no answer to his argument for Mr. JOHNSON to drag in here this secret record to try to discredit this soldier boy from his home State, and his home town, especially when he has an honorable discharge from the service which shows that his character was "excellent."

Mr. Speaker, I have reflected on no Member of Congress. On the other hand, I have tried to deal fairly with every Member of the House. Therefore I resent this charge against me, and I resent the publication of this alleged medical record of this soldier boy along with this letter to try to leave the impression that this is a fair sample of the influences behind this measure for veterans' relief. [Applause.]

#### CAPPER-KELLEY RESALE PRICE BILL

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the fair trade bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker, the Committee on Interstate and Foreign Commerce has carefully considered and favorably reported H. R. 11, a bill to protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand, or name.

A studious analysis of this bill indicates that its primary purpose is to restore the principle of the common law, upholding the right of contract and to abrogate the provisions of the Sherman Act in so far as they interfere with that right in the special classes of cases covered by the bill.

I note that after holding its hearings, and carefully considering the various phases and the possible effects of this proposed legislation, that the committee incorporated the following reasons in its recommendation favoring the passage of H. R. 11. I quote from pages 3, 4, and 5 of the committee's report:

This bill does not refer to necessities of life, so that it in no way affects the necessary cost of living.

The bill is confined to commodities sold under a trade-mark or brand or trade name of the producer. Under the conditions of business to-day, makers of special articles in any line are accustomed to spend enormous sums of money in nation-wide advertising and other similar means to bring the goods and the virtues thereof to the notice of the public. In their own interest they are obliged to produce an article which is of general use and high quality, so that when purchased it will commend itself to consumers, and they are obliged also in their own interest to maintain the quality of the product, so that purchasers more and more will be inclined to ask for the particular kind of article they want by the manufacturer's name. This good name, therefore, which is procured at enormous expense, is a valuable asset to the producer. And it is clear that, even after the goods have been sold to a dealer, the producer does not lose his interest either in the name or in the article sold, because he continues his efforts, by advertising and otherwise, to help the resale of that article when it is in the hands of the dealer. The testimony which has been taken over a number of years on this bill and other similar bills shows many instances where dealers have used the good name of nationally known producers for their own benefit, and to the detriment of the interests of the producer and to the detriment of his property in the name. They have done this by advertising cut prices on nationally known specialties in order to attract customers into their stores, and then by selling them staple articles, of which the fair price could not be known to the customer, at higher than a fair price. It is perfectly obvious that if any dealer sells part of his stock at or below cost he must, in order to keep in business, sell other portions of his stock at a profit higher than a fair profit.

Another evil effect of cutthroat competition is the tendency for producers to manufacture to meet a price rather than to maintain quality.

It is hoped that the effect of this bill, if enacted into law, will be to prevent to a great extent the unfair and destructive method of competition above mentioned and at the same time, if it thus succeeds, it will not add to the cost of such goods to the consumer. At the present time when a manufacturer knows that his goods may be subject to this cutthroat competition he is obliged in order to keep the trade of small dealers to fix his range of prices so high that, if necessary, he can make a discount which will enable the small dealer to meet the cutthroat prices. If, on the other hand, with the help of this legislation he can control his price range, he would be enabled to and would in the end make his scale of prices lower, so that dealers of all magnitudes could make fair profits on their turnover and yet the consumer could buy the goods at as low prices as at present. One of the principles of modern trade which is now widely recognized, not only in the sale of articles like automobiles but generally, is that the foundation of any trade or manufacture is more secure where there are large sales at small profits than smaller sales at larger profits. This bill only applies in cases where the article being sold is in free and open competition, and it is perfectly clear that if the ultimate prices to consumers are unfair or are too high competition from other sources will soon bring them down to a reasonable basis.

And finally, and perhaps most important for the public welfare, the effect of this bill would be to put the small local dealers more nearly on a competitive basis with the great chain store and other combinations. It is generally and properly recognized that the gradual extinction of small independent dealers will be a loss to countless communities throughout the Nation, and so to the Nation itself. A small independent dealer who is identified with the community where his store exists and who is active in its life as a citizen and taxpayer is surely more advantageous to that community than a mere selling agency of a foreign concern, which agency has no interest in the community except to make what profit it can from the community.

Believing that legislation such as proposed by H. R. 11 will be to the public interest and accomplish the purposes that I have quoted from the committee's report, I wish to urge the Members of the House to pass the Capper-Kelly resale price bill before the adjournment of this session of Congress.

#### PRESENTATION OF SPECIAL GOLD MEDAL OF HONOR TO REAR ADMIRAL RICHARD E. BYRD

Mr. CABLE. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting the addresses of President Hoover, Admiral Byrd, and Doctor Grosvenor at the National Geographic Society last night.

The SPEAKER. Is there objection?

There was no objection.

Mr. CABLE. Mr. Speaker, in extending my remarks I take pleasure in presenting, in order as given, the addresses of Dr. Gilbert Grosvenor, president of the National Geographic Society; the President, Herbert Hoover; and Rear Admiral Richard E. Byrd last evening in the Washington Auditorium at the presentation of the society's special gold medal of honor to Rear Admiral Byrd.

#### ADDRESS OF DR. GILBERT GROSVENOR, PRESIDENT OF THE NATIONAL GEOGRAPHIC SOCIETY

Mr. President, members and friends of the National Geographic Society, we are assembled to honor once more a member of our society who has returned from leading, successfully and brilliantly, one of the most comprehensive, dramatic, and productive explorations of modern times.

We are proud to recall that his first Arctic flying, in 1925, was under our society's auspices.

A year later he first attained the North Pole by airplane, an achievement which won for him the society's highest award, the Hubbard medal. Subsequently he flew across the Atlantic with three gallant companions.

Now, when he returns from exploring the Antarctic Continent, mapping hitherto unseen areas, adding mountain ranges and charting coast lines, bringing scientific data of extreme importance, and flying to the South Pole, we are under the pleasant compulsion of devising a new award for him—a special gold medal of honor.

To-night he can only summarize the geographic information he and his associates have accumulated. But his first concern, the first day he set foot on American soil, was to begin writing for his and our National Geographic Society a complete account of the discoveries and activities of his expedition. This epic narrative will be published for the National Geographic Society's membership in the August issue of their magazine.

As we greet him we also congratulate and honor every officer and man of his expedition. It is with much pleasure we see on our platform every member of this marvelous aggregation of executive, seafaring, and scientific talent—80 courageous explorers.

To add significance to the award to be conferred on the distinguished leader, the board of trustees invited President Hoover to bestow the medal. It is especially appropriate that this presentation should be



made by President Hoover, for the ceremony thus becomes a tribute of one experienced world traveler to another.

A map of the travels of Herbert Hoover shows he has spanned the globe from Australia to Alaska; from Santiago to Vladivostok; from Capetown to Bergen, Norway. He has crossed the Atlantic more than twenty-five times, he has traversed the Pacific at least ten times, and has circumnavigated the globe repeatedly.

It is almost literally true that there are only two places in the world the President has not visited—the North Pole and the South Pole. If there had been starving children or unhappy human beings to relieve at those bleak places, it is probable that Herbert Hoover would have managed to get there somehow.

We regret that Mrs. Hoover is unable to be present to-night. Members of the National Geographic Society take much pride in the fact that Mrs. Hoover has been a member of our society for 28 years. She joined the society April 18, 1902, when it was a small band of 2,500 members. In intervening years, wherever she has traveled, the Geographic has been forwarded to her—sometimes to very remote places. Few membership records of our 1,250,000 members show more frequent changes in forwarding addresses than those of Mrs. Hoover. For encouragement and interest all these years, the officers accord their respectful appreciation.

We thank you, Mr. President, for your kindness in coming to our meeting, and thereby adding to those precious traditions which give strength and permanence to the National Geographic Society.

Ladies and gentlemen, the President of the United States.

#### ADDRESS OF PRESIDENT HOOVER

I am glad to welcome Admiral Byrd back to Washington. I speak not merely for myself but for the Nation as a whole and for every individual citizen. His contribution to exploration and scientific research has done honor to his country, and his country takes a just pride in them and in him. More than that, his daring and courage have thrilled each one of us individually, because he has proved anew the worth and power and glory of qualities which we believe are latent in our people. For men of our race to master extraordinary difficulty, to carry through great adventure, thrills us with pride, with hope, and with confidence. I sometimes think that this is the greatest value of modern explorers.

I do not minimize the scientific gains of such expeditions, but the human values are so immediate and so universal in their effect that it may well be that they transcend the scientific service. Every hidden spot of the earth's surface remains a challenge to man's will and ingenuity until it has been conquered. Every conquest of such a difficult goal adds permanently to mankind's sense of power and security. Great explorers, therefore, do not merely add to the sum of human knowledge, but also they add immensely to the sum of human inspiration.

Knowledge, too, has been enriched by Admiral Byrd's expedition. New coasts of the Antarctic Continent have been mapped and new regions have been explored. Geological data have been increased, which contribute to our knowledge of the history of the earth. New knowledge of magnetic currents and of weather changes has been gained. The store of the world's knowledge may not be priced in money, for money we make and spend, but knowledge remains always with the race.

All these achievements are the capstone of a career whose progress Americans have watched with interest and pride. Admiral Byrd has been first to conquer the difficulties of reaching the poles by heavier-than-air flying. He has flown the Atlantic Ocean. Success has followed upon success in his life, and this is the greatest of all.

As with all consistently successful issues, his accomplishments have been built upon painstaking preparation, foreknowledge of the special problems to be solved, thoughtful plans to meet them and infinite patience in preparation and infinite patience in execution. He has demonstrated the traits of the born commander—boldness at the right time, comradeship, those heroic qualities that endear the captain to his men. And he is beloved by the American people.

I congratulate you, Admiral Byrd, upon your success, upon your safe return to your country and home and friends, upon your services, and the lift you have given to the spirit of your countrymen. I am happy to present to you this special gold medal of the National Geographic Society, awarded to you for "the first attainment of the geographical South Pole by air . . . and for distinguished contributions to world knowledge of Antarctica." And I take great pleasure in again introducing you formally to this audience, seen and unseen, to whom you need no introduction, and to whose hands I now commit the rendering of those further honors which you so highly deserve.

#### ADDRESS OF REAR ADMIRAL RICHARD E. BYRD

Mr. President, Doctor Grosvenor, friends, and members of the National Geographic Society, it is good to be back among one's friends after an absence of nearly two years. And it is good to find this interest in our work in the Antarctic—that the President and other distinguished guests should thus honor my companions and me. Here, indeed, is one of the true pleasures of being an explorer—the pleasure of return and the rediscovery of friends.

I came here to-night with an especial debt of gratitude to Dr. Gilbert Grosvenor, Dr. John Oliver La Gorce, and fellow members of the

National Geographic Society. The society has always been most helpful with scientific advice, sympathy, and financial support to my various expeditions. In this last the society exceeded its generosity of the past. Having already contributed \$25,000 toward the support of the expedition, it came forward at a critical time, subsequently, with a heartening gift of equal amount.

So if I fail to find words properly to express my gratitude for these things, you will understand, I am sure, that in my heart there is the greatest thankfulness.

The Antarctic Continent is not readily to be understood according to ordinary concepts of geography. It is the last uninhabited frontier of the world, that vast extent of which the sciences have scarcely touched.

After all, there is little in the experiences of those of us who live in temperate climes to enable us to envisage the true aspects of Antarctica. Much of it has never been seen, much less explored. Its boundaries to a large extent are theoretical and its area is an estimate. This, and its remoteness from world centers, have contrived to give it a suggestion of unreality.

No life exists there except sojourning penguins, gulls, seals, certain forms of microscopic life, and the whales which have found in adjoining waters a last retreat. The only population that this immense continent has known is the transitory communities of exploring parties and the whalers and sealers who have landed briefly on its coasts.

In winter it is perhaps the dreariest of places. Our base, Little America, lay in a bowl of ice near the edge of the Ross Ice Barrier. The temperature fell as low as 72° below zero. One could actually hear one's breath freeze. Exposure led to painful consequences.

Yet we did not suffer unduly. Not nearly as much, that is, as other exploring parties have suffered. Because this was an expedition directed toward scientific fact finding, we took advantage of the experiences of our predecessors and the comforts provided by modern ingenuity. And we proved that it is possible for human beings to live in polar regions without extraordinary hardships.

This in itself is a kind of discovery, especially in view of the fact that of the 42 men who spent the winter on the ice only 1—a tailor—had been south of New Zealand before, and not even he had passed a winter there.

But why, it has been asked, did you go there? Of what use to civilization can this lifeless continent be?

Ever since Capt. James Cook anticipated the existence of a south polar land mass from observations made in 1775, the Antarctic Continent has persisted as one of the great geographic mysteries. From time to time explorers have investigated its coasts and interior. Two of them forced their way to the pole—the valiant Scott, who perished on the way back, and the rugged Amundsen, who recently lost his life in the far North.

All of these expeditions contributed something to the accumulating knowledge of the Antarctic. Not knowledge that could be put to work at once in practical manner, but, rather, knowledge that helps us to thrust back farther the physical and spiritual shadows enfolding our terrestrial existence.

Is it not true that one of the strangest and most continuously sustained impulses working in civilization is that which leads to discovery? As long as any part of the world remains obscure, the curiosity of man must draw him there, as the lodestone draws the mariner's needle, until he comprehends its secret.

The United States was first represented in the Antarctic by Capt. John Wilkes in 1840. We, the next Americans to follow, entered the area 90 years later.

The expedition landed at the Bay of Whales December 28, 1928. This was the formal beginning of the expedition. Actually it was the beginning of a final phase, for the work of preparation antedated it by two years.

Merely the matter of living—of setting up a self-sufficing community in the largest nonshop area in the world—was a big problem of anticipation. For Little America had to be a particularly flexible and durable community, capable of supporting a staff of scientists, whose wants were precise, dog teams, aircraft, radio station, and the many other complex sources of demand which such an expedition isolated for 14 months, under severe conditions, rapidly creates.

It is our belief that the expedition contributed materially to the sciences.

Our aircraft flew approximately 7,100 miles in spite of poor weather conditions. It was shown that aircraft could not only discover and survey new areas with great rapidity but also land in these areas parties for scientific investigation in such areas. Dog teams covered 2,100 miles more. The total area explored, surveyed, and investigated covers approximately 160,000 square miles.

New land and new mountain ranges were discovered and large portions of the Ross Ice Barrier were explored.

Marie Byrd Land lies east of the one hundred and fiftieth meridian, and so outside the Ross Dependency claimed by Great Britain. It was first observed on a flight and claimed in the name of the United States.



Then on December 5, 1929, after five unsuccessful attempts we succeeded in flying over the theretofore impenetrable area on the eastern coast of Ross Sea. Here, beyond the ice islands and shelf ice that have turned back all explorers since Sir James Clark Ross, we discovered, first, a magnificent range of mountains, and next an extensive coast continuous with and providing access to the plateau of which Marie Byrd Land is a southern boundary. This area also lies outside the Ross dependency.

Finally the geological party under Professor Gould, my second in command, penetrated Marie Byrd Land and claimed it for the United States.

Our investigations had the result of dispelling certain erroneous conceptions. For example, Carmen Land, first observed by Amundsen, is for a large part removed from the map.

One direct result of these findings was to extend the boundaries of the Ross shelf ice at least 100 miles to the southeast. Yet another was to impart new significance to the theory of a low-depression connection between Ross and Weddell Seas.

These contrary findings must not be construed as reflecting unfavorably upon Amundsen. From our high moving platform we were able to see things that he afoot could not possibly see.

As part of our program of scientific investigation, we flew to the South Pole, starting November 28, 1929, and returned on the following day. On the way in we followed the unknown pass leading up the Liv Glacier, in attempting the very difficult climb to the polar plateau, and thereafter followed the one hundred and seventy-first meridian to the Pole. The return trip carried us down Axel Heiberg Glacier, above Amundsen's tracks, to a supply depot near its base. We refueled there and returned safely to Little America.

Even from our altitude we could observe the punishing conditions with which Scott and Amundsen had to contend, and our admiration for their achievements was intensified.

The polar flight drove home these conclusions.

It emphasized the usefulness of the aerial mapping camera as the explorer's newest tool.

It established the value of radio in exploration.

The airplane and aerial mapping camera have introduced a new precision and speed—a new technique, in fact—to modern exploration. In a single flight we saw more of this unknown continent than all previous explorers, necessarily land bound, could possibly have seen. At an altitude of 10,000 feet the horizon is 132 miles distant, while the view of the foot traveler is normally 5 miles.

The overwhelming mass of detail that floods and confuses the eye of an observer on a pioneering flight is accurately and in surpassing detail preserved on overlapping photographs of the survey camera. Such records were made on all important flights. We thus surveyed, for example, the Rockefeller Mountains, parts of the Ross Shelf Ice and the Ice Barrier, the geographic aspect of which had been a most uncertain quantity, about 400 miles of coast extending from Discovery Inlet eastward to the new range of mountains discovered on the north eastward flight, as well as the territory lying between our base and the pole, both east and west of our flight path.

This last is perhaps the longest single strip map ever made, 1,600 miles being photographed without interruption.

In many ways radio proved its astonishing usefulness. Gould, at the plateau rim 400 miles away, radioed the weather report which enabled us to take off on the polar flight with assurance of success. By radio I was able to direct the many units operating simultaneously in the field—the supply ships on their voyages to and from New Zealand, the airplanes flying over distant areas, the dog parties in the interior, and to consult with my representative, Captain Railey, in New York. Daily news reports also were filed by the New York Times representative, Mr. Russell Owen.

I recall my emotions when McKinley, flying high above the Rockefeller Mountains, asked me by radio at Little America whether he might photograph them. This was a directive power no other explorer has possessed.

What marvelous properties these three agencies—the airplane, radio, and aerial camera—have brought to bear, separately and collectively, upon the science of exploration. It was in 1925 when I went to the Arctic under the auspices of the National Geographic Society and the Navy as a pioneer in the use of aircraft in exploration. And many thoughtful persons said I would fail because airplanes were unreliable and polar conditions too severe.

Nevertheless, these new appurtenances have not yet divorced the explorer from primitive weapons. Dogs and sledges are still indispensable. Without them, I dare say we could not possibly have accomplished our plans. One of the most important single efforts of the expedition was the journey of the geological party to the polar plateau. This was the longest trip ever made for purely geological investigation into the most important area, geologically, still left to the scientist. Gould and his party made this 1,300-mile trip with dog teams, and it was eminently successful.

By means of dog teams we transferred 650 tons of equipment across treacherous ice from our ships to Little America. We used them effec-

tively in laying down 400 miles of emergency depots for the polar flight. Even if aircraft now commands polar skies, the dog team is still master of the trail—is still essential.

Lack of time does not permit of complete analysis of the scientific accomplishments of the expedition which, it will be understood, must require extensive definition. This work covered many departments and yielded valuable knowledge.

For example, the meteorological work included investigations of both surface and upper air conditions. This study, which was carried on unbrokenly day and night during our 14 months' stay on the ice, will prove, when the final report is drafted, an important contribution to meteorology. For it will show the extent and nature of the influence of Antarctic weather conditions upon those prevailing in southern latitudes, and perhaps upon world weather.

A continuous record was made of magnetic elements. The auroral record is extensive, and when correlated with magnetic radio findings should yield very interesting data. We made observations of other conditions which vitally affect all radio transmission in the Southern Hemisphere which must traverse Antarctica. The physicist and oceanographer studied conditions falling into their departments.

It is, of course, impossible to announce at this time a report on the findings of Professor Gould, as much of his material must be given precise petrographic study in the laboratory. But Gould's message, flashed by radio from Mount Nansen, may, perhaps, give a hint of their importance. He found sandstone, with a layer of highly carbonaceous material, on the mountain.

"No symphonies that I have ever heard," Gould radioed, "no work of art I have viewed with awe, ever gave me quite the thrill I had when I picked up that rock and found it sandstone. Here was what I had come all the way to Antarctica to find."

A report covering all scientific studies made by the expedition will be published in the fall, and I have instructed the scientific staff to begin work on it at once. It appears now that these reports will fill three volumes.

This report will disclose exactly what we accomplished in the Antarctic.

The motion pictures which you are about to see—doubtless are now impatient to see—will show exactly how we accomplished it.

I have, for myself, this closing thought—a thought that has been with me since the *City of New York* put out from the Bay of Whales, in February, and headed for home. It is this: That the expedition accomplished its objectives and carried the American flag 1,000 miles farther south than it had been before is a cause of pride to me.

Such a thing satisfies the mind.

But of deeper meaning is the fact that every man who started out with me has returned—that we left not a single man on the ice—that every one is here to-night.

Such a thing satisfies the heart.

#### THE BYRD ANTARCTIC EXPEDITION AND FIRST FLIGHT TO THE SOUTH POLE

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed eulogies to Admiral Byrd by Members of Congress, high Government officials, and governors of the various States.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLEOD. Mr. Speaker, the United States is welcoming home again one of her most distinguished citizens, Rear Admiral Richard E. Byrd, and the intrepid members of his Antarctic expedition.

Surely, America has had few opportunities equal to this for reveling in the glory of one of her own sons. It seems that it was but yesterday that we were electrified by the happy news from the Arctic region that two Americans, Byrd and Bennett, in an American plane, had successfully flown over the North Pole and returned to the place of starting. Richard Evelyn Byrd, then a lieutenant commander in the United States Navy, had accomplished what he set out to do.

It appealed to me as such a magnificent achievement and so full of significance for the future that I immediately introduced in the first session of the Sixty-ninth Congress, then sitting, a resolution, House Joint Resolution 253, proposing to award recognition in the name of Congress to Lieutenant Commander Byrd and the members of his polar expedition. Such recognition was given.

Not content with this brilliant feat of pioneering, Commander Byrd set about to conquer, by airplane, the even more formidable Antarctic Continent, and he has done so, thereby becoming the first man to fly over both poles.

But what seems to me more astonishing and commendable even than the fact of these two achievements is the manner of their accomplishment—the magnificent precision, the easy confidence, the use of a new mode of transportation, the attentive-



ness to numerous details, the neglect of anyone of which might prove fatal to so hazardous a project, the incidental collection of much valuable scientific data in many different fields of learning, the meeting of new conditions and new dangers for which there were no precedents—all combine to make the two polar expeditions of Rear Admiral Byrd the wonders of our age.

Appreciating the importance of recording in the annals of our generation a definition of the pioneer achievements of the Byrd Antarctic expedition and the names of the members of the expedition, the committee of scientists who were associated with the illustrious Admiral Peary, the conqueror of the North Pole, and Captain Amundson, the conqueror of the South Pole, acting under the direction of the Aerial League of America and the International Science Forum, of which Admiral Peary was the head until the time of his death, has invited Members of Congress, Government officials, the governors of various States, the mayors of various cities, the heads of universities, and other leaders of thought to express their opinions, to which the committee has added the essence of upwards of 3,000 editorials published in newspapers and periodicals in the United States and abroad and of as many individuals who wrote to the committee.

This report, with the equally comprehensive report of this committee on the first flight to the North Pole and the crossing of the polar sea, to be found in the CONGRESSIONAL RECORD for February 25, 1927, and the addresses delivered by Members of Congress on various occasions on this subject, will make available in the Government records the data regarding these stupendous achievements and the evidence of the Nation's appreciation. The report follows:

#### ACCOMPLISHMENTS AND SIGNIFICANCE OF THE BYRD ANTARCTIC EXPEDITION

##### I. NATURE AND PURPOSE OF THIS REPORT AND FINDING

1. By making the first flight to the South Pole and the first photographic maps of a vast area of the Antarctic, and by its other achievements, the Byrd Antarctic Expedition has added to the world's scientific knowledge and earned scientific and historic distinction for itself, for the United States Navy, of which Rear Admiral Richard E. Byrd is an officer; for the United States, because it was an American-conceived expedition, executed by Americans; for the world, because the ancestors of the 118 members of the expedition represent practically all the nations of the Old World; and for our age, which will be distinguished from other ages in history by such achievements.

2. The flight to the South Pole is one of major achievements that will live in history through the ages, ranking with epical and epochal achievements of Marco Polo, Columbus, Da Gama, Vespucci, Magellan, Ross, Sir John Franklin, Peary, and Amundsen.

3. The opportunity for such major achievements had closed after Peary had discovered the North Pole and Amundsen had discovered the South Pole, but science, by producing aircraft and radio, has opened the new and greater world of the atmosphere, whose boundaries, as the late Admiral Peary so aptly stated, are infinite space.

4. But it required the master mind of Commander Byrd to utilize the means that science had produced and to select the intrepid companions to aid him in the conquest of the South Pole by aircraft and radio.

And it required the progressiveness and vast means of the New York Times and its associated newspapers to bring all these splendid elements to the expectant world, as if by magic, by constant radio accounts of the expedition.

5. This report aims to define all such achievements and to consolidate, interpret, and summarize the substance of the reports, findings, and opinions regarding the Byrd Antarctic Expedition made and expressed by the explorers themselves, the President of the United States, the members of the Cabinet, the Congress of the United States, and by the following American institutions: The National Geographic Society, the American Geographic Society, the Aerial League of America, the International Science Forum, the Navy Department, the War Department, officials of the Explorers' Club, the advertising clubs of the world, the Advertising Club of New York, the Poe Cottage Committee, the Poetry Society of Great Britain, and close to 1,000 universities and other international and national institutions, and the governors of the various States, the mayors of the various cities and committees appointed by them, 3,000 representative people, whose opinion was asked by the Aerial League of America and the International Science Forum; 3,000 editorials from American and foreign newspapers and publications.

6. The ultimate purpose of the survey is to insure that these achievements are properly recorded and that those who performed them receive a measure of credit equal to the greatness of the achievement.

7. Our age will be distinguished from other ages in history for such achievements, and we will be remembered on account of the stupendous deeds of the representative figures whose achievements will distinguish our age in the eyes of posterity.

The least we can do is to express our appreciation for the share of glory which comes to us because of their achievements.

##### II. THE MEMBERS OF THE EXPEDITION

###### 8. The members of the Byrd Antarctic Expedition are as follows:

###### *Roll of the members of the Byrd antarctic expedition who wintered on the Ross ice barrier*

Rear Admiral Richard E. Byrd, commanding officer; Clair D. Alexander, sailmaker-seaman; Bernt Balchen, aviation pilot; George H. Black, supply officer; Quin A. Blackburn, seaman-topographer; Kenneth F. Bubler, aviation mechanic; Christopher Braathen, seaman-skiman; Jacob Bursey, seaman-dog driver; Arnold H. Clark, fireman; Dr. Francis D. Coman, medical director; Frederick E. Crockett, dog driver; Victor H. Czegka, machinist; Frank T. Davies, physicist; Joel De Ganahl, mate; E. J. Demas, aviation mechanic; James A. Feury, fireman; Edward E. Goodale, dog driver; Charles F. Gould, carpenter; Lawrence M. Gould, geologist-geographer; William C. Haines, meteorologist; Malcolm P. Hanson, radio engineer; Henry T. Harrison, jr., aerologist; Harold I. June, aviation pilot; Charles E. Lofgren, personnel officer; Howard F. Mason, radio operator; Capt. Ashley C. McKinley, aerial surveyor; Thomas B. Mulroy, chief engineer; John S. O'Brien, surveyor; Russell Owen, Times correspondent; Capt. T. N. Parker, aviation pilot; Carl O. Petersen, radio operator; Martin Ronne, sailmaker; Benjamin Roth, aviation mechanic; Joseph T. Rucker, motion-picture photographer; Paul A. Siple, Boy Scout; Dean Smith, aviation pilot; Sverre Strom, boatswain; George W. Tennant, cook; George A. Thorne, jr., surveyor; Willard Van der Veer, motion-picture photographer; Norman D. Vaughan, dog driver; and Arthur T. Walden, head of dog teams.

###### *Roll of the ship and supporting units of the Byrd Antarctic Expedition*

Capt. Gustav L. Brown, master of steamship *Eleanor Bolling*; Capt. Frederick C. Melville, master of the bark *City of New York*; Harry Adams, mate; C. Aldons; W. J. Armstrong; Haldor Barnes, assistant physician; Leland L. Barter, oiler; John J. Bayer, second assistant engineer; Lloyd V. Berkner, radio operator; Arthur Berlin, fireman; J. Bird, ornithologist; D. Blair; Max Boehning, in charge of dogs; A. C. Brustad; John Buys, seaman; John Cody, first assistant engineer; Arthur B. Creagh, cook; Roy Ellis Cullens, cook; William Darling, seaman; E. J. Demas, aviation mechanic; Ben Dennison, seaman; M. W. Dobston; William Erickson, seaman; R. Eva; Carroll B. Foster, jr., fireman; Frank R. Fritzson, oiler; William Gavronski, mess boy; G. A. Gillispie; Sydney Greason, steward; Lloyd Grenle, radio operator; W. Gribben; W. Hamilton; P. J. Hart; W. Harvey; H. Hausten; John Jacobson, sailmaker; Benjamin F. Jett, oiler; Bendik Johanssen, boatswain and ice pilot; J. Jones; W. H. Keily; Charles L. Kessler, cook; Harry R. King, mate; Richard W. Konter, seaman, musician; F. Lockwood; Charles J. McGuinness, chief officer; R. Mercola; J. W. Morrison; N. Newbold; Esmond O'Brien, first assistant engineer; J. Olson, fireman; J. O. Orbell; F. Pape; Anson W. Perkins, seaman; R. Perks; Louis Reichart, cook; A. B. Robinson; J. Robinson; E. Edwards Roos, seaman; T. M. Royal; G. Samson; H. W. Shrimpton; Ralph Shropshire, hydrographer; George Sjogren, fireman; John L. Sutton; A. Innes Taylor, dog driver; Elbert J. Thawley, second assistant engineer; M. Tracy; V. Vojtech, scientist; J. Walling, R. J. Wallis, tailor; H. L. Wilcox; C. Wilson; Frank Wolfgang, aviation mechanic; Lyle Womack, seaman; M. C. Woolhouse; and R. Young.

##### III. CHRONOLOGY OF THE BYRD EXPEDITION

(Prepared by the New York Times)

1928

- August 25, the bark *City of New York* left New York.
- October 10, Commander Byrd and his party sailed from Los Angeles on the whaler *C. A. Larsen*.
- December 2, the *City of New York* and the *Eleanor Bolling* left Dunedin, New Zealand, for the Antarctic.
- December 14, the *City of New York* started through the ice pack, the *Eleanor Bolling* returning to New Zealand.
- December 25, the expedition arrived at the ice barrier.

1929

- January 6, permanent base established at Little America.
- January 16, Commander Byrd made his first Antarctic flight, exploring 1,200 square miles.
- January 27, discovery of Rockefeller Mountains.
- January 31, Commander Byrd saved Roth, aviation mechanic, from drowning when part of barrier cliff collapsed.
- February 18, Commander Byrd explored 40,000 square miles of unknown territory by plane; discovery of Marie Byrd Land.
- March 8, Larry Gould, Bernt Balchen, and Harold June flew to the Rockefeller Range for geological studies.
- March 19, Commander Byrd flew to their rescue and found their plane wrecked.
- March 22, Commander Byrd and geological party returned safely to Little America.
- October 15, supporting sledging party started south on a base-laying trip.



November 4, geological party started 400-mile sledge trip to Queen Maud Mountains.

November 10, supporting party returned to Little America.

November 18, Commander Byrd made a base-laying flight to Queen Maud Mountains. Discovery of Charles Bob Mountains, on depot-laying flight.

November 28, Commander Byrd and three companions started for the South Pole at 10.29 p. m. (New York time). Discovery of new mountain range on flight to South Pole.

November 29, Commander Byrd wirelessly the New York Times from the South Pole at 8.55 a. m. (New York time); returned to his base at 5.10 p. m.

December 5, Commander Byrd discovered a new mountain range and Barrier Inlet as he explored 35,000 square miles of unknown territory.

December 21, President Hoover signed bill commissioning Commander Byrd a rear admiral.

December 28, geological party found a cairn containing Amundsen relics of 18 years before.

1930

January 19, geological party arrived back at Little America, having found coal outcroppings on Mount Nansen.

February 7, the *City of New York* completed passage of ice pack on way to bring the expedition home.

February 18, the *City of New York* reached the Bay of Whales.

February 19, the expedition left for home.

March 9, arrived at Dunedin, New Zealand, en route home.

June 19, Admiral Byrd and members of expedition arrive in New York—public reception.

#### IV. PRELIMINARY SUMMARY OF ACHIEVEMENTS

9. A preliminary account of the achievements of the expedition, in addition to the first flight to the South Pole, appears in the New York Times's interview with Admiral Byrd, as follows:

"In the field of geology we investigated one of the most important points, geologically speaking, left in the world, the Queen Maud Mountains, about 300 miles from the South Pole. We sent out a dog-sled party under Dr. Lawrence Gould. They discovered carbonaceous material at 5,000 feet and other material which proved that Antarctica was once tropical or semitropical. We investigated the newly discovered Rockefeller Mountains and found them to be granite and some of the oldest in the world.

"In meteorology two men from the United States Weather Bureau—William C. Haines and Henry T. Harrison—took thousands of observations at temperatures of 60° and 70° below zero. These balloon runs continued all winter. These are important because this climate affects the world climate more than the Arctic.

"Our physicist took readings of the lines of the earth's magnetic force, both for intensity and direction, at a time when there were active sun spots and found variations. He took temperature gradients of the snow. I believe that his findings are important; but you must realize that it takes weeks and months to tabulate the data."

Admiral Byrd explained that there will be at least four volumes printed on the work of the expedition, of which he will write a section on geography and the running story.

#### *The most important discovery*

"The most important was the discovery and photographing of new land," he continued. "We found three hitherto unknown mountains and disproved the existence of Carman Land. Every inch of new land, and that is no exaggeration, was photographed. We have a complete picture record of every flight.

"The biologist made studies of the only sojourners on the continent. Beyond the edge of the continent we find only primitive lichen plants.

"In oceanography we used the sonic depth finder and got the contour of the ocean where it was not formerly known. We found some very deep spots and we found that the barrier rests on peaks of land. This is a conclusion; we can't prove it.

"There was extensive research in radio. At 60° below zero Malcolm P. Hanson succeeded in getting out 6 or 7 miles for observations, and he also conducted experiments on the Heaviside layer. "We went into glaciology and to some extent zoology. The barrier is a very mysterious formation. There is snow to the water line from 60 to 200 feet down—we dug to find out—and from there it is ice. Nearly the whole area is water borne, but is anchored to land. The Bay of Whales is cut out of snow and yet it keeps its contours. Our camp was over 1,500 feet of water on a potential ice floe.

"Of course, we made progress in the science of aviation in that climate, but I needn't go into that."

#### V. HISTORY OF THE PLAN TO CONQUER THE ARCTIC AND ANTARCTIC BY AIR

10. Admiral Robert E. Peary, the discoverer of the North Pole, and Capt. Roald Amundsen, discoverer of the South Pole, were first to conceive a plan for the conquest of the Arctic and Antarctic by aircraft and radio.

11. Peary first and then Amundsen foresaw as early as 1911-12 that polar exploration would be revolutionized by the employment of aircraft, and both became actively interested in aeronautics, Peary becoming in

1912 head of the first committee to plan an aeronautic map of the world, and subsequently head of the National Aerial Coast Patrol Commission, president of the Aerial League of America, and chairman of the International Science Forum, which offices he held until his death; and Amundsen learned to pilot an airplane and became a licensed pilot in 1914, being the first explorer to qualify as airplane pilot.

12. In 1916 was formed the committee planning the exploration of the polar regions by aircraft, the members of which were Peary, Amundsen, Shackleton, Robert A. Bartlett, Henry Woodhouse, honorary secretary and historian. The honorary advisers of this committee included Admiral Colby M. Chester, United States Navy, John Hays Hammond, jr., and a number of other noted scientists, authorities, and explorers. Plans were made for the employment of aircraft and radio.

The preliminary plans of the committee were announced on December 21, 1916, at a meeting held in the studio of A. A. Anderson, president of the Hunters' Fraternity of America, which was attended by all the members except Shackleton, who was unable to be present. Peary prophesied at this meeting that—

"In the very near future the biting air above both poles will be stirred by whirling airplane propellers, and when that time comes the inner polar regions will quickly yield their last secrets."

13. On December 22, 1916, Admiral Peary announced the plans through the Associated Press, stating that—

"Peary hopes that after Bartlett returns successful from this expedition, conditions may be favorable for sending out an American national Antarctic expedition under his command to explore the American half of the Antarctic region and secure for American scientists the valuable scientific material existing there."

14. That first committee made tentative plans for both the Arctic and Antarctic, and "charts of aerial divisions of the Antarctic" were made in December, 1916, which were supplied to Admiral Byrd before his departure for the Antarctic.

#### VI. SUMMARY OF 3,000 EDITORIALS AND 3,000 INDIVIDUAL OPINIONS

15. The committee has received upwards of 3,000 editorials from newspapers and periodicals of the United States and other countries, and as many individual opinions. An examination of this large number of representative opinions reveals not a single dissension from the summary expressed in the first four paragraphs of this report.

16. We are glad to note that the memory of the first flight of Commander Byrd and the equally undaunted Floyd Bennett to the North Pole and the stupendous achievements of Capt. Roald Amundsen, Lincoln Ellsworth, Gen. Umberto Nobile, and their gallant companions, who made the first flight and air crossing of Arctic Continent and Polar Sea, and the daring flight of Sir Hubert Wilkins and Carl Ben Eielson from Point Barrow to Spitsbergen, still green in the public mind.

17. The following expressions, out of the thousands received, give a representative symposium of Admiral Byrd's latest achievement:

THE SPEAKER'S ROOMS,  
HOUSE OF REPRESENTATIVES OF THE UNITED STATES,  
Washington, D. C.

HENRY WOODHOUSE, Esq.,

President Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: I am glad to have an opportunity to participate in the tribute to be paid to Admiral Byrd and his heroic companions on their return from the Antarctic and the completion of their months of achievement.

To the scientific world I am told their research is of untold value. We are all proud of them and of the fine way in which they have exemplified the Nation's standards of courage and daring.

In welcoming them back to this country I should like to present to Admiral Byrd, through you, an authenticated copy of the resolution which was passed by the House of Representatives on December 2, 1929, in which the congratulations of the House were extended to Admiral Byrd and his associates upon their successful flight over the South Pole. Upon this copy I have included the cablegram I forwarded to Admiral Byrd on that date by direction of the House.

With best wishes for each member of the expedition, I am,

Very sincerely,

NICHOLAS LONGWORTH.

[Inclosure]

DECEMBER 2, 1929.

Commander RICHARD E. BYRD:

The House of Representatives of the Seventy-first Congress, second session, has just passed unanimously at its first meeting the following resolution:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,  
December 2, 1929.

Resolved, That the Speaker is requested by means of the radio to convey to Commander Richard E. Byrd and his associates the congratulations of the House on their recent successful flight over the South Pole, which was marked by such unerring skill and dauntless courage, and to express its confident hope that the further activities



of the expedition under the able and brilliant leadership of Commander Byrd will greatly contribute to the world's scientific knowledge.

Attest:

WM. TYLER PAGE, *Clerk.*

I take extreme pleasure, both officially and personally, in transmitting this resolution to you and your associates.

NICHOLAS LONGWORTH,  
*Speaker House of Representatives.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT,  
*Statehouse, Boston.*

Rear Admiral RICHARD E. BYRD,  
*The Aerial League of America,  
280 Madison Avenue, New York City.*

MY DEAR ADMIRAL BYRD: I count it an honor and a very welcome duty as Governor of the Commonwealth of Massachusetts to express to you and the brave men who with you penetrated the mysteries of the vast Antarctic the unstinted congratulations of all our citizens.

We are proud, here in Massachusetts, to claim you as one of our own, realizing at the same time that your contributions to the progress of this world place you among that universal citizenry that is bounded by neither time nor place. For in facing the challenge of the bleak and forbidding Antarctic you have conquered the last great mystery and uncovered the last great secret that remained upon this earth of ours.

The admiration and the gratitude of all our citizens go forth to you and to your comrades, and I am proud to have this opportunity to voice my own personal greetings and sincere good wishes.

FRANK G. ALLEN, *Governor.*

HOUSE OF REPRESENTATIVES,  
*Washington, D. C.*

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: I am pleased to acknowledge receipt of your good letter and appreciate what you are doing in commending the achievements of Rear Admiral Richard E. Byrd and his comrades for the outstanding work they performed in making the Antarctic expedition. In former times it seemed to be the thought of men that it required war to bring out the heroism of men. We who know of Admiral Byrd's expedition realize that no greater sacrifice was ever made which truly indicated the valor of men than was shown by him and his coworkers in fighting the unknown elements in their successful attempt to reach the South Pole.

I trust that he will live for many years and enjoy the friendship and associations of his fellow men. With kindest regards,

M. C. ALLGOOD.

UNITED STATES SENATE,  
COMMITTEE ON BANKING AND CURRENCY.

Mr. HENRY WOODHOUSE,  
*Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: American resources of men and material, American science and American courage, united in a great cooperative effort and with the sterling leadership of Admiral Richard E. Byrd, have performed a glorious feat.

The aerial conquest of the South Pole reassures us that our pioneering hardihood has not been lost with the advance of science. In this case courage has made full use of all that science could offer and has thereby made the conquest all the more decisive.

With the rest of America I honor Admiral Byrd and his associates.

DAVID BAIRD, Jr.

HOUSE OF REPRESENTATIVES,  
*Washington, D. C.*

HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: The people of California join with pride in appreciation of the epoch-making achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition, who were the first to fly to the South Pole.

Americans are proud of American leadership in great events and accomplishments, and while it is not given to us all as individuals to become leaders in great things, we nevertheless thrill with pride when a fellow American does. Admiral Byrd's achievement is one of the outstanding events of history, of which Americans for all time will be justly proud.

California salutes Admiral Byrd.

H. E. BARBOUR.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York.*

DEAR MR. WOODHOUSE: The poem I wrote when Admiral Byrd and his gallant companions flew across the Atlantic, after he and the brave Bennett had flown to the North Pole, is entitled "Hull Down on the Sea of Rapture," and appears in my book, *Road Royal*, published in 1927 by Cecil Palmer, London. The first four stanzas are as follows:

"They who have not the blood of heroes in their veins,  
What can they know of the divine account  
That such as these must settle with their God?  
What can they sense of that force which arraigns?  
What can they know of planes by which they mount  
From the more safe and slothful ways of sod?"

"They urge, 'Why do these dangerous, fantastic things?  
Why sail on seas of air across the Pole?  
Why risk your only body thus?' they say.  
Yes; but they do not hear the call of wings,  
The urgent promptings of the hero's soul  
That will not grant him rest without these things.

"To dare, to go, to go uncertain of the end,  
To clear for ports not found on any chart,  
To bridle all the elements; yes, this,  
To go—if need be break but never bend,  
To go—from all the ties of earth, apart,  
To go, beyond the signposts \* \* \* never miss.

"The hearthstone or the comfortable bed,  
The warmth of easy friends, as easy lost,  
The market places where walk proudly forth  
The sleek, the opulent, and overfed;  
Nor miss the joys of earth—nor count the cost—  
To go and set the compass way past North."

It is a pleasure to contribute these stanzas to the symposium of expressions of greetings to Admiral Byrd and the intrepid men who went with him to conquer the South Pole with aircraft and radio, thereby realizing the dreams of Peary, Amundsen, Scott, and Shackleton.

ALICE HUNT BARTLETT,  
*Chairman of the National Committee for the  
Celebration of Virgil's 2,000th Birthday.*

ATLANTIC CITY AIRPORT COMMISSION,  
*Atlantic City, N. J.*

HENRY WOODHOUSE,  
*President Aerial League of America,  
Williard Hotel, Washington, D. C.:*

Please extend to Admiral Byrd hearty congratulations on his accomplishments and safe return, and present Atlantic City's cordial invitation to visit our airport which, you know, as you established it, was and is the first airport in the world. We well recall that it was here, in May-June, 1919, that you read Byrd's letters to you about the possibilities of the trans-Atlantic flight, and Admiral Peary's prophecies that the North Pole and the South Pole would be conquered by aircraft and radio, and President Wilson gave reality to the prophecies by opening your Pan American Aero Congress by radio, which was the first to be so opened.

Atlantic City calls on Admiral Byrd with a pioneer's record and hopes to greet him soon.

ALBERT T. BELL,  
*Chairman Airport Commission.*

MISSISSIPPI EXECUTIVE DEPARTMENT,  
*Jackson, Miss.*

Mr. HENRY WOODHOUSE,  
*President of the Aerial League of America,  
280 Madison Avenue, New York, N. Y.*

DEAR MR. WOODHOUSE: I am very glad to have this opportunity of expressing, though I am afraid inadequately, my appreciation of the magnificent work of Rear Admiral Richard E. Byrd. We who are living in this age of achievements are fortunate indeed to have as our contemporary such an outstanding figure as Richard E. Byrd, and we can not do him enough homage. In the years to come, though aerial navigation will progress, I am sure no brighter star will arise upon the horizon and no aviator's name shine with brighter luster than that of Richard E. Byrd.

THEO. G. BILBO, *Governor.*

ST. REGIS, *New York.*

DEAR MR. WOODHOUSE: I hastened to complete my air tour of Africa, Asia, Europe, and the United States to get to New York on time to meet



Admiral Byrd and tell him how glad I am to see him again, and that I found that his fame was known at all the far-flung airports of the ancient world.

VAN LEAR BLACK.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

DEAR MR. WOODHOUSE: The services of Admiral Byrd in his various explorations can not be too highly estimated. His work will be an inspiration to all future generations not only because of his scientific discoveries, but because of the remarkable foresight with which his undertakings have been planned.

S. O. BLAND.

ADVERTISING CLUB OF NEW YORK,  
23 Park Avenue, New York.

AERIAL LEAGUE OF AMERICA,  
280 Madison Avenue, New York, N. Y.

MY DEAR MR. WOODHOUSE: We are in hearty sympathy and accord with the plan of the Aerial League of America, under the able direction of your good self, to give permanent expression of appreciation to the stupendous achievement of Admiral Richard E. Byrd in his explorations of Antarctica.

The 2,500 members of the Advertising Club of New York view with pride the marvelous accomplishments of this modest American, who had carried his explorations beyond all frontiers, having topped the world at the north as well as at the south.

We acclaim him as a scientist of commanding ability; an explorer of undaunted courage and vision; a man of judgment, wisdom, and understanding; an exemplar of all that is best in our civilization.

We are proud of Admiral Byrd as an American, and will embrace the first opportunity to show him the homage to which he by all right is entitled.

Thank you very much for your courtesy and kindness in acquainting us with the plans of the Aerial League.

If we can be of any further service, please do not hesitate to call upon us.

JAMES WRIGHT BROWN, *President.*

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

DEAR MR. WOODHOUSE: I am glad that the Aerial League of America is arranging to gather together expressions from representative Americans with reference to the splendid achievement of Rear Admiral Richard E. Byrd.

While not personally acquainted with Admiral Byrd, I have for years greatly admired his daring, his resourcefulness, and his stupendous accomplishments. His work is also of tremendous scientific value to future generations.

Any honor that his country can give him is well deserved. I wish him many more years of good health, so that he may continue to carry on in adding to the world's knowledge of the Arctic regions or other problems in which he is interested, with glory to himself, his family, and his country.

O. B. BURTNESS.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR PRESIDENT WOODHOUSE: Rear Admiral Richard E. Byrd is a modern Columbus, who has steered his aerial course over an expansive uncharted area. His name will long reverberate through the corridors of time as an intrepid American, who has augmented American territory and influence, who has advanced the cause of science, and given particular impetus to the cause of aerial navigation.

Yours sincerely,

MANUEL CELLER.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: To me the achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition is epoch making. The result has not only been the first flight to the South Pole and careful

mapping of territory about which we had the most meager knowledge, but has demonstrated the usefulness of aircraft and radio in activities of this kind. This expedition has proved how indispensable aircraft and radio are and pointed out how useless the effort would have been without these aids.

To Rear Admiral Byrd all honor is due for having pioneered in this work, and while the scientific and geographic data gathered are invaluable, we must not overlook the value to aircraft and radio of the experience gained in their employment to such a great extent in the Antarctic. This expedition will rightly go down in history as epoch making and as the outstanding achievement of this age.

Yours truly,

C. A. CHRISTOPHERSON.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: It gives me very great pleasure to express sincere appreciation of the stupendous achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition, who were the first to fly to the South Pole.

This history of America reveals many great characters which this country has produced. Too often the generation in which they live has not appreciated the work of these heroes. I believe, as a Nation, we are growing to appreciate the work of great figures while they are yet alive. I consider the achievement of Rear Admiral Byrd as a distinct contribution to the great acts of this generation. I, therefore, believe that this achievement should be properly recognized and recorded in such a way that it will not be forgotten.

Very sincerely yours,

DON B. COLTON.

UNITED STATES SENATE,  
COMMITTEE ON BANKING AND CURRENCY.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

DEAR MR. WOODHOUSE: The achievement of Rear Admiral Richard E. Byrd in his exploration of the Antarctic will indelibly stamp his name amid the great explorers of the world. The fellow countrymen of Admiral Byrd take great pride in acclaiming him as one of America's outstanding scientists.

United States and the world will not withhold from him the distinguished recognition which his great work has merited.

TOM CONNALLY.

UNITED STATES SENATE,  
Washington, D. C.

MY DEAR MR. WOODHOUSE: Frankly, I have not been enthusiastic over some of the polar expeditions of the past. I say this without reflection upon any of the courageous men who have taken these dangerous trips.

As regards Admiral Byrd's expedition to the South Pole, I confess a degree of enthusiasm. His expedition from every viewpoint is a scientific survey. He is bringing back to us geological, meteorological, and geographical material of great value.

The stories that came to us by the radio were filled with romance, adventure, pathos, enthusiasm, and dogged determination. Millions of our citizens eagerly awaited these daily messages. The admiral's safe return brings a sense of personal relief to the American people who have learned to hold Admiral Byrd in real affection. Our friend has found a place in history and in glory from which he can never be displaced.

ROYAL S. COPELAND.

STATE OF OHIO,  
OFFICE OF THE GOVERNOR,  
Columbus.

AERIAL LEAGUE OF AMERICA,  
280 Madison Avenue, New York City,  
Attention: Mr. Henry Woodhouse.

GENTLEMEN: Horizons ever have offered a challenge to man. Since the dawn of history man has strained his resources to seek his fortune just over the rim of his vision.

That was the spirit with which the Vikings of old were fired. That was the guiding and motivating factor in the life of the poor Genoese sailor, Christopher Columbus. That was the lure which attracted the Lone Eagle, Col. Charles A. Lindbergh, to his history-making flight across the Atlantic.

Commander Richard Evelyn Byrd has added immeasurably to the gratification of the millions of men who dream of adventuring in far countries and whose lives are bound to the more ordinary paths of



human achievement. His contributions to science and to the sum total of knowledge are, without doubt, of untold value to the world. But to the man in the street Commander Byrd has given a glimpse of the romance of the rising sun after a 6-month night. He has given the tales of intrepid courage in the face of almost insuperable difficulties. He has kept alive the spirit of the Argonauts, the Vikings, and the Italian voyagers.

So it is to this intrepid aviator and explorer and to his associates in his expedition to the Antarctic wastes and his flight over the South Pole that the entire Nation pays its homage.

The Nation has been proud to confer upon Commander Byrd signal honors. His Antarctic expedition has proved once again his right to the honors which are given only to the representative figures of the age.

May I, as Governor of Ohio, express for our State the very high regard with which we hold this son of the Old Dominion. He has our most sincere best wishes.

Yours very truly,

MYERS Y. COOPER, Governor.

UNITED STATES SENATE,  
COMMITTEE ON INTERSTATE COMMERCE.

DEAR SIR: I desire to add my expression of appreciation of the stupendous achievement of Rear Admiral Richard E. Byrd and his associates in his Antarctic expedition.

The intrepidity of Admiral Byrd is conceded the world over. To his own leadership must be added those intrepid men who went with him.

The accomplishment is tangible evidence that men of our day are as intrepid in their pioneering as they were in the early days of our Nation.

I congratulate with all sincerity the accomplishments of Admiral Byrd and his associates.

Very sincerely yours,

JAMES COUZENS, of Michigan.

STATE OF UTAH, OFFICE OF THE GOVERNOR,  
Salt Lake City.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: The achievement of Rear Admiral Richard E. Byrd, who with his Antarctic expedition was the first to fly to the South Pole, is one of the outstanding events of the century.

The glamor which attaches to the unknown is always fascinating, and the person who has penetrated beyond the outer rim of the world is bound to be interesting to the rest of his fellow human beings.

The discoveries and observations made on the trip to the South Pole probably will prove invaluable to science, and the name and fame of Richard E. Byrd will live as long as history endures.

Very sincerely yours,

GEO. H. DERN, Governor.

EDGAR ALLAN POE COTTAGE COMMITTEE,  
Fordham Road, New York City, N. Y.

DEAR ADMIRAL BYRD: I send you greetings and salutations on this your third great accomplishment. Every American is proud of you and your crew.

It is an inspiration to us to know that Poe was and is your favorite poet and author, and we shall be happy to have you visit his cottage.

LOUISE WHITNEY DICKEY, Chairman.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: In your letter of April 29 last you called upon me to express my opinion and views of the stupendous task performed by our own Admiral Byrd and his expedition.

There is little I can add to the many words of sincere admiration which found expression throughout the length and breadth of this country and the world holding this noble achievement of Admiral Byrd as the greatest trip since the days of Columbus. Consider the difficulties Byrd had to encounter on his flight and how simple and completely the problems which he faced were solved by him, which our children and grandchildren will delight in reading about Byrd's memorable trip to the South Pole, and many generations will be thrilled by the story of his achievements as the outstanding event of our own age and generation.

The year of Byrd's flight will be as memorable in the history of the world as is the founding of Jamestown and the landing of the Pilgrims.

Sincerely yours,

SAMUEL DICKSTEIN.

UNITED STATES SENATE,  
COMMITTEE ON INTERSTATE COMMERCE.

Mr. HENRY WOODHOUSE,  
Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR MR. WOODHOUSE: Replying to your letter of April 29, I am glad to express my admiration and appreciation of the achievements of Rear Admiral Richard E. Byrd by his Antarctic expedition. He showed great courage and persistence in this work and his achievements have undoubtedly placed him in that list of Antarctic explorers who will always be remembered for the pioneer exploration work by which information concerning that vast region is made available to the world.

Sincerely yours,

C. C. DILL.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR SIR: What I consider to be the greatest achievement in the navigation and discovery of the world was accomplished by "Commander" Richard E. Byrd and his Antarctic expedition when they penetrated where no man has ever been before, and did it with an airplane.

Admiral Peary set a high standard when he reached the North Pole by the only methods then known to man, and the luster of his fame will never grow less; but when one thinks of this young commander from Virginia venturing out into the unknown of the Antarctic with an airplane, making his flight, his discovery, and living to return to civilization with a scientific report and proof of his prowess, and doing it with such modesty of demeanor, I think it was generally conceded that from thenceforth he was to stand in a class to himself, having set a standard not again to be attained.

Admiral Byrd will take his place high up on the roll of the immortals. I was glad to be one of those of his fellow countrymen who voted him a rear admiral.

HERBERT J. DRANE.

18 EAST FORTY-FIRST STREET, New York.

DEAR ADMIRAL BYRD: As one of the directors of the Richmond Air Junction Association, which, with the Aerial League of America, made the plans and acquired and made available the land for the Richard E. Byrd Airport, established in your honor at Richmond, Va., I feel doubly happy to know that the airport will henceforth stand as a useful memorial to your latest achievement—the conquest of the Antarctic by aircraft and radio.

STANLEY W. EAKIN.

DEAR MR. WOODHOUSE: The success of Rear Admiral Byrd in his great flights furthering the cause of aviation has been due largely to the fact that he kept faith with his education and engineering training, and with all those with whom he was thrown into contact. He has proved he is not only an engineer, in the practical meaning of the term, but also an engineer in his relations to individuals; that is, in human engineering.

His flight across the Atlantic would have resulted in disaster save for the scientific planning and engineering skill used before the hop off. His trip across the North Pole showed the same thorough preparation. The success of Byrd's expedition to the Antarctic which has deservedly made both poles likewise depended upon his qualities of human and practical engineering. The most outstanding feature of the trip across the South Pole is the fact that he maintained, while miles from civilization and in the worst possible climatic conditions, a considerable body of men without accident, serious illness, or loss of life.

Rear Admiral Richard E. Byrd's achievements are unmatched by those of any man not only for his exhibition of knowledge and skill, but also for his example of individual courage, and inspiring, successful leadership.

RALPH EARLE, Captain, U. S. Navy,  
President Worcester Polytechnic Institute,  
Worcester, Mass.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,  
Washington, D. C.

HON. HENRY WOODHOUSE,  
President of the Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

DEAR MR. WOODHOUSE: I have been reading with a great deal of pleasure and interest of the great achievement of Admiral Richard E. Byrd and his assistants on his Antarctic expedition. This is one of the most outstanding feats of its kind in the history of the world.



The United States of America should be and is proud of Admiral Byrd and his brave assistants. The greatness of our Nation is due to the indomitable energy and spirit of its people, all of which qualifications seem to be predominant in the make-up of Admiral Byrd.

Yours very truly,

R. N. ELLIOTT.

MY DEAR MR. WOODHOUSE: Kindly extend my hearty greetings to Admiral Byrd and members of the expedition, not forgetting Captain Parker, who arranged our delightful flight over Chicago before he left for the Antarctic.

I believe you are correct in your impression that the last times Captain Amundsen, Admiral Byrd, and I were together were the occasion of the organizing of the Polar Legion and the dinner at Colonel Anderson's studio, arranged by your good self, to celebrate the tenth anniversary of the making of the first plans for the conquest of the Arctic and Antarctic by aircraft and radio by a committee of which Admiral Peary was chairman. The photos of those two occasions are, therefore, as you say, the last in which our great leader, Amundsen, figured with us. And you have the only photo signed by all.

LINCOLN ELLSWORTH.

Rear Admiral RICHARD E. BYRD,

*Returning from the South Pole to the United States of America.*

MY DEAR ADMIRAL BYRD: In behalf of nearly 200,000 members of the National Guard, scattered over 48 States, District of Columbia, Hawaii, and Porto Rico, I extend hearty congratulations. You have commanded our profound admiration because of your stupendous achievements, our most lavish praise because of your sterling character.

Your Antarctic Expedition with its successful flight to the South Pole is a bright page in the record of this present generation. We are proud of your success and trust the choice blessings of the Eternal God may ever make happy your life.

We welcome you home and with all our hearts congratulate you.

Sincerely,

WM. G. EVERSON,  
Major General, Chief Militia Bureau.

ADRIAN COLLEGE,  
Adrian, Mich.

Mr. HENRY WOODHOUSE,

*280 Madison Avenue, New York City, N. Y.*

MY DEAR MR. WOODHOUSE: The spirit of adventure has always come to flower in certain daring souls who possessed the courage and eager desire to know what lies beyond which has characterized the pioneers of every age. Commander Byrd is one of these adventurous souls and he will go down in history as one of the world's great pioneers in the field of aviation and one of the most daring explorers in the history of the world. His expedition was not only a most daring adventure but it has been highly successful, and men everywhere, not only the living, but those to come, will be indebted to him for his great achievement.

Heartily,

HARLAN L. FREEMAN, *President.*

UNITED STATES SENATE,  
COMMITTEE ON THE LIBRARY.

MY DEAR MR. WOODHOUSE: Events now and then occur, the importance of which would be difficult to express in words. Among these events is the recent achievement of Admiral Byrd.

From whatever standpoint his accomplishment in "Little America" is at once notable and surprising in its undertaking. With the new facilities of annihilating space and abolishing time, this young man brought the uttermost parts of the unknown earth within speaking distance of all the populations of all the world. His achievement warrants unlimited admiration of the peoples of all the nations of all time.

Yours very truly,

SIMEON D. FESS, *of Ohio.*

DETROIT.

Mr. HENRY WOODHOUSE,

*New York City.*

DEAR MR. WOODHOUSE: I find it very difficult to adequately express myself regarding the achievements of Rear Admiral Richard E. Byrd in his Antarctic expedition as well as his flights over the North Pole and Atlantic Ocean.

I feel that the vast amount of technical data obtained on these expeditions is of inestimable value. His flights have furnished an inspiration to the young manhood of the world, and the high standard on which Admiral Byrd has conducted his expeditions is worthy of every support and encouragement that can be given.

Yours very truly,

EDSEL FORD.

STATE OF MAINE,  
OFFICE OF THE GOVERNOR,  
*Augusta.*

HENRY WOODHOUSE,

*President Aerial League of America,*

*280 Madison Avenue, New York, N. Y.*

DEAR MR. WOODHOUSE: It is a great pleasure for me to offer to the Aerial League of America an expression of tribute to Rear Admiral Richard E. Byrd, as well as his entire Antarctic expedition. Such an achievement as that of the Byrd party stands out in the affairs and progress of our Nation and brings us further knowledge and information. We are ever happy to honor such men.

Yours sincerely,

WM. T. GARDINER,  
Governor of Maine.

HOUSE OF REPRESENTATIVES,  
*Washington, D. C.*

Mr. HENRY WOODHOUSE,

*President Aerial League of America,*

*280 Madison Avenue, New York City.*

MY DEAR MR. WOODHOUSE: I wish you God speed in your effort to stir up an adequate expression of appreciation of Admiral Richard E. Byrd's wonderful accomplishment in Arctic and Antarctic discovery.

It needs the impulse such as you are giving to crystallize the spirit into a definite demonstration. Those who keep abreast of the times can not fail to realize the epochal nature of Admiral Byrd's contribution to science. He has made for himself a lofty place in the hall of fame and is entitled to the gratitude, not only of the present generation, but of the ages to come.

Sincerely yours,

ANTHONY J. GRIFFIN.

GEORGE WASHINGTON BICENTENNIAL COMMISSION.

HENRY WOODHOUSE,

*Hotel Willard, Washington, D. C.:*

To few men has it been given to widen so far the knowledge possessed by mankind of the earth which it inhabits.

Few have overcome such apparently unsurmountable difficulties in their way. Few men have shown such modesty and coolness and good sense in receiving the acclamation of their fellow men.

The name Byrd goes along with that of Marco Polo, Vasco da Gama, and Christopher Columbus in bringing the ends of the earth together. Honor to Byrd the unconquerable.

ALBERT BUSHNELL HART.

HOUSE OF REPRESENTATIVES,  
*Washington, D. C.*

HON. HENRY WOODHOUSE,

*President Aerial League of America, New York City.*

MY DEAR MR. WOODHOUSE: The magnitude of the achievement of Rear Admiral Byrd and his Antarctic expedition to be the first to fly over the South Pole and to present to civilization not only the written word of their experiences and discoveries but the invaluable photographs which give us all a keener geographic conception of their achievement and the sacrifices made in order to accomplish that feat of daring and skill, has won for him and his men not only the adoration and applause of his own countrymen but the admiration and acclaim of the whole world.

His gift to science and his demonstration of what man may and can do are invaluable, and his status as a pioneer is established for all time. And not the least of the noteworthy citations of that great adventure is the insight into the soul and spirit of the man who was the leader of this peerless group. To have assembled from all vocations and walks of life a group of men, accustomed as they were to the comforts and some of them to the luxuries of life, transported them to this uninhabited ice-barrier of subzero temperature, huddled together in cramped quarters with few comforts and no luxuries, and to have maintained not only discipline but held the love, respect, and esteem of his men, is the greatest testimonial to the strength, courage, and perfect judgment embodied in the temple of manhood who headed this daring expedition.

ED. M. IRWIN.

HALL OF FAME, *New York.*

HENRY WOODHOUSE,

*President of the Aerial League of America,*

*Willard Hotel, Washington, D. C.:*

To have reached both poles and to have crossed the Atlantic by airplane is a distinction so exceptional that were living persons eligible to the Hall of Fame, Admiral Byrd would doubtless be chosen now instead of 25 years after death, which may fortune long postpone. His services to science and to his country, and his fine personal qualities make us proud of him as a man and an American.

ROBERT UNDERWOOD JOHNSON,  
Director of the Hall of Fame.



HOUSE OF REPRESENTATIVES,  
Washington, D. C.

THE GOVERNOR OF NEW JERSEY.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: Most pleasing it is to me to be extended the opportunity of expressing my appreciation of the latest aerial achievement of Rear Admiral Richard E. Byrd, acknowledged viking of the air.

From the viewpoint of dangers encountered, stupendous difficulties overcome, and crowning success attained, the Byrd Antarctic expedition and flight to the South Pole is now and will ever remain, even through the vanishing after years, the world's outstanding aerial accomplishment.

Through all the ages of the past it was the accepted belief of mankind that nature would ever deny to man dominion over the air, reserving the exploration of its uncharted mysteries to the winged and feathered creatures of its creation. That belief has now been shattered, but after all, it was a Byrd that did it.

These weak though sincere words of praise are also given to the brave and fearless members of the Byrd Antarctic expedition, who so ably aided in bringing back the reward of success—a reward in which the Aerial League of America may justly share in recognition of its aid, encouragement, and accomplishments in the boundless fields of aeronautical achievements.

ROWLAND L. JOHNSTON.

UNITED STATES SENATE,  
COMMITTEE ON APPROPRIATIONS.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: Admiral Byrd has certainly made a wonderful record. Not only will he bring to us information with reference to the Southern Hemisphere and the South Pole, but to my mind his splendid feat has more strikingly demonstrated what can be done with the airplane than has ever been demonstrated before.

W. L. JONES.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: Thanks for your letter asking for an expression from me relative to the Antarctic expedition of Rear Admiral Byrd.

I followed his itinerary closely, and I am strongly of the opinion that his contribution to science, geography, and to his country is not exceeded by anyone of this generation. America owes him a great debt of gratitude, and I know he will live forever in the hearts of his countrymen, not only for the present generation but of generations to follow.

D. H. KINCHELOE.

COMMITTEE ON PENSIONS,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR MR. WOODHOUSE: I thank you for having given me an opportunity to give expression to the very high regard that I entertain for Admiral Byrd and my admiration for his outstanding achievement, which will go down in history as one of the great voyages of all time.

I know of no American in this century who has shed greater luster upon his fellow countrymen than Admiral Richard E. Byrd.

HAROLD KNUTSON.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
President of the Aerial League of America,  
280 Madison Avenue, New York:

It can't be done—but Admiral Byrd does it.

F. H. LaGUARDIA, of New York.

60 EAST SIXTY-SIXTH STREET,  
New York.

DEAR MR. WOODHOUSE: Kindly express to Admiral Byrd the ardent congratulations of our international group, with special felicitations for having conquered the North Pole, the South Pole, and the Atlantic without loss of life. They are inspiring achievements.

Mrs. JAMES LEE LAIDLAW.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: It is extremely difficult for me to fittingly express my admiration and appreciation of the glorious achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition.

The successful accomplishment of an undertaking requiring such initiative, such skill, such care and foresight, such determination, and, above all, such courage and vision, shines with a luster that will forever illumine the pages of history. Any words of appreciation, no matter how fervent or eloquent, are necessarily inadequate to express our feelings of intense gratification at this conquest of the polar regions. These men have blazed the way for future exploits, and the imagination falters before the possibilities which they have opened up.

Although nothing can honor them as much as they have honored themselves and their generation, I am nevertheless happy to be given the opportunity to attest to the pride which all Americans feel at the consummation of the task which they set out to do.

MORGAN F. LARSON, Governor.

STATE OF INDIANA,  
EXECUTIVE DEPARTMENT,  
Indianapolis.

The lust of gold and conquest have been the inspiration for the adventurous of all ages. But for unselfish devotion to the cause of scientific exploration and knowledge the achievement of Rear Admiral Richard E. Byrd stands unparalleled in the annals of heroic endeavors.

The luster of his success casts an added reflection to the glory which comes to us in this age of unusual accomplishment. The fame of Rear Admiral Byrd will be sung wherever unselfish devotion and heroic achievement are the motivating influences of human endeavor.

Gov. HARRY G. LESLIE.

HOUSE OF REPRESENTATIVES,  
Washington.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: Rear Admiral Byrd, by his persistent courage and rare combination of idealism and effective ability, has won a place in the heroic annals of all time.

Sincerely yours,

CLARENCE F. LEA.

NAVY DEPARTMENT,  
BUREAU OF ORDNANCE,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President of the Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: My facility in the use of words is entirely inadequate to express appreciation of the marvelous accomplishments of Rear Admiral Byrd in the Arctic and the Antarctic.

Rear Admiral Byrd when he was a junior lieutenant served with distinction and courage under my command, and a friendship established at that time has kept me informed in detail of his efforts and accomplishments through the years.

Navigating airships to Europe, to the two poles of the earth, and polar explorations of almost unbelievable extent have brought him the plaudits and the affection of America; but only those of us in his confidence know of the apparently unsurmountable difficulties and cruel disappointments that would have discouraged any less dauntless spirit and that failed to even dampen his enthusiasm.

Richard Byrd is an organizer of superlative attainments; his attractive personality and personal courage stimulate heroic efforts on the part of those associated with him; he can make a success of any project, and the world's admiration is exceeded only by the affection of his friends.

WILLIAM D. LEAHY,  
Rear Admiral, United States Navy.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: I consider it an honor to add my word of appreciation of the achievement of Rear Admiral Richard E. Byrd and his expedition. In flying to the South Pole and exploring that region Admiral Byrd and his men added to the fund of human knowledge and to the glory of America.

SCOTT LEAVITT.



HOUSE OF REPRESENTATIVES,  
Washington, D. C.

HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR SIR: One of the outstanding achievements of the age, when there has been a multitude of stupendous achievements, is the trip of Rear Admiral Richard E. Byrd and his Antarctic expedition, who were the first to fly to the South Pole. The general public can little realize the tremendous handicap that had to be overcome, the courage and daring during the whole expedition, and the unexcelled leadership of such a trip. It has added glory to aviation, the Navy, the United States, and particularly to that great class of American individuals who have done so much in the field of exploration.

MEL. MAAS.

TIME,  
295 East Forty-second Street, New York.

Time joins the national chorus in saluting the intelligent planning and courageous, brainy execution of the Byrd Antarctic expedition.

JOHN S. MARTIN, Managing Editor.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President of the Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: Of course, I have read with a thrill of pride about the exploits of Rear Admiral Richard E. Byrd on his Antarctic expeditions.

His achievements undoubtedly have contributed something far more valuable than the mere proof that the spirit of adventure is strong in our people. What Admiral Byrd accomplished in the South Polar regions means much to modern science. He and the members of his expedition deserve the gratitude of all of us.

Very sincerely,

RUTH HANNA McCORMICK.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: It is expected that within the next few weeks the United States will have the opportunity to welcome home again one of her most distinguished citizens, Rear Admiral Richard E. Byrd.

Surely America has had few opportunities equal to this for reveling in the glory of one of her own sons. It seems that it was but yesterday that we were electrified by the happy news from the Arctic region that two Americans, Byrd and Bennett, in an American plane, had successfully flown over the North Pole and returned to the place of starting. Richard Evelyn Byrd, then a lieutenant commander in the United States Navy, had accomplished what he set out to do. It appealed to me as such a magnificent achievement and so full of significance for the future that I immediately introduced in the first session of the Sixty-ninth Congress, then sitting, a resolution, House Joint Resolution 253, proposing to award recognition in the name of Congress to Lieutenant Commander Byrd and the members of his polar expedition. Such recognition was given.

Not content with this brilliant feat of pioneering, Commander Byrd set about to conquer, by airplane, the even more formidable Antarctic Continent, and he has done so, thereby becoming the first man to fly over both poles. But what seems to me more astonishing and commendable even than the fact of these two achievements is the manner of their accomplishment—the magnificent precision, the easy confidence, the use of a new mode of transportation, the attentiveness to numerous details, the neglect of any one of which might prove fatal to so hazardous a project, the incidental collection of much valuable scientific data in many different fields of learning, the meeting of new conditions and new dangers for which there were no precedents—all combine to make the two polar expeditions of Rear Admiral Byrd the wonders of our age.

I trust that at the first opportunity you will convey to Admiral Byrd my message of commendation and congratulations upon his unparalleled success. I am sure that the American people as a whole are eternally grateful to him for the prestige he has brought to us as a Nation, as well as for the additions to scientific knowledge which he has made possible, through his intrepid explorations into the polar wastes.

Most sincerely yours,

CLARENCE J. McLEOD, of Michigan.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: As a Member of Congress and a citizen of the United States, I desire to tender my appreciation and to express

my commendation to Rear Admiral Byrd and his associates on the occasion of their successful homecoming.

The stupendous accomplishment of Admiral Byrd and his Antarctic expedition, who were first to fly to the South Pole, will go down in history as one of the outstanding achievements of our day and age. Our generation will be distinguished from other periods in history for achievements accomplished with the aid of aircraft and radio, and in the eyes of posterity the South Polar expedition will stand out as one of the greatest.

Rear Admiral Byrd in distinguishing himself has glorified the service in which he is enlisted and the Nation of which he is a citizen. All America proudly welcomes him home.

Very sincerely yours,

JAS. M. MEAD.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: I have never ceased to marvel at the great achievement of Rear Admiral Richard E. Byrd and the courageous men who accompanied him on the Antarctic expedition. It was a most hazardous undertaking, and its success is occasion for much rejoicing. When we come to realize the real import of this enterprise the greater will be our appreciation of Rear Admiral Byrd's accomplishments.

Yours sincerely,

A. J. MONTAGUE.

EXECUTIVE DEPARTMENT,  
Austin, Tex.

THE AERIAL LEAGUE OF AMERICA,  
280 Madison Avenue, New York City.

GENTLEMEN: The stupendous achievements of Rear Admiral Richard E. Byrd in conquering the Arctic and Antarctic regions by aircraft and radio are a source of gratification to all Americans. He has brought a new luster to American science, and has taken a secure place among the distinguished heroes and citizens of this Nation. His achievements have increased public confidence in the security of travel by air, and he has aroused in all citizens an admiration for his heroic acts.

DAN MOODY, Governor.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President the Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR SIR: Rear Admiral Richard E. Byrd has rendered a great service to the world and has brought distinction to his own country and to himself. His great achievement in flying to the South Pole demonstrates anew his courage, ability, and success. I am glad to honor him as a distinguished American.

C. ELLIS MOORE.

CURRENT HISTORY MAGAZINE,  
Times Annex, New York.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
Willard Hotel, Washington, D. C.

MY DEAR MR. WOODHOUSE: I am delighted to join in greetings to Admiral Byrd, the conqueror of both poles.

He represents the ideal America—resourceful, courageous, inflexible, one who commands with kindness, yet with firmness, and whose modesty and self-effacement make his unusual qualities all the more conspicuous.

He deserves well of the country. His name will be imperishably recorded in our annals along with the few who stand forth in a generation and whose achievements shine resplendent, but whose number, alas, is small.

GEORGE W. OCHS-OAKES.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, D. C.

DEAR MR. WOODHOUSE: In company with the many from whom you will hear, may I be permitted to add my voice in praise of the outstanding achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition.

This intrepid explorer has made history at both poles and occupies a unique position in the annals of our country. He takes his place by the side of Roald Amundsen, Admiral Robert E. Peary, Guglielmo Marconi, Alberto Santos Dumont, Alexander Graham Bell, and others to whom we are indebted for a wealth of information secured in the face of danger and privation. The world of science has been greatly enriched by the fact that Rear Admiral Richard E. Byrd, United States Navy, decided to devote his remarkable energies to exploration activities.

D. J. O'CONNELL.

MY DEAR MR. WOODHOUSE: I gladly accept your invitation to express my admiration of Admiral Byrd's great feat.

The admiral is a versatile genius—an aviator, explorer, scientist, and organizer. One of his greatest accomplishments, to my mind, is that the purposes of his expedition were effected without the loss of a single life.

His exploit has enriched science, brought fame to himself, and honor to his country.

FRANK OLIVER.

STATE OF ARKANSAS,  
EXECUTIVE CHAMBER,  
Little Rock.

Rear Admiral RICHARD E. BYRD,  
United States Navy, Washington, D. C.

MY DEAR ADMIRAL BYRD: On the occasion of the return of the Antarctic expedition, after glorifying yourselves and Nation, I desire to extend heartiest congratulations to you and the personnel of your party in behalf of the citizenship of Arkansas.

Your able leadership, together with the courageous spirit and high intellect of your party, has enabled the world to again advance scientifically; and your remarkable and outstanding achievement will be marked on the pages of history as a testimonial of ambition and unselfishness of men who have striven for the advancement of mankind. The entire world celebrates your successful return from a hazardous visit into a country heretofore uncharted and about which little was known.

HARRY PARNELL, Governor.

UNITED STATES SENATE,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR MR. WOODHOUSE: Your letter has been received, and from the daily papers I note the expected arrival of Rear Admiral Richard E. Byrd at the Canal Zone, where he will undoubtedly have a hearty reception.

In recognition of the remarkable work he has accomplished in the Antarctic, following the notable achievement he had already made, it goes without saying that he will be showered with honors upon his return here.

The maintenance of radio communication with his expedition during practically all of his stay in Antarctica was a wonderful accomplishment, and the people of the United States were keen to have almost daily word of the expedition's progress.

The admiral's generalship, under which everything possible to accomplish was performed without the loss of life or a single accident, is most commendable. The complete success of his undertaking appeals to all Americans as one worthy of the highest praise and shows what can be done by Americans of nerve and ability. America should not only be grateful to Admiral Byrd alone, but also to every member of his party who courageously faced the perils of the Antarctic without once failing in the performance of duty.

LAURENCE C. PHIPPS.

UNITED STATES SENATE,  
Washington.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York, N. Y.

MY DEAR MR. WOODHOUSE: I thank you for the opportunity to express my admiration for the great work that has been accomplished by Rear Admiral Richard E. Byrd.

I considered his flight to the North Pole and return not only the most daring feat but the most valuable demonstration of the utilization of the airship for exploration, communication, and development. His recent great expedition to the South Pole, whilst a continuation of his first work, adds conclusive proof to the soundness of his vision, which led him to believe that through the utilization of the air, remotest sections of the world could be brought in contact with civilization and studied and developed with comparative ease.

He fortunately combines the personal equipment and qualifications of a great flyer with the mind of a statesman and a scholar. He is now and always will remain one of our national heroes.

KEY PITTMAN.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

HENRY WOODHOUSE, Esq.,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: It gives me great pleasure to comply with your letter, and I send the following message as a tangible evidence of my appreciation of what Admiral Byrd and his expedition have done to distinguish this age from other ages in history:

"To Rear Admiral Byrd: Four years ago to-day you flew over the North Pole, the first man to see it from the air! To-day you are returning from the opposite end of the world, which was also conquered in transpolar flight last November by you, the only man now living who has looked upon both poles!

"For science you have widely increased the bounds of knowledge; for your country you bring imperishable glory; for yourself, undying honor. To you have been given 'the uttermost parts of the earth for thy possession!'"

Sincerely yours,

RUTH PRATT.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City, N. Y.

MY DEAR SIR: Please accept my thanks for your kind letter relative to the expedition of Admiral Byrd to the South Pole.

Admiral Byrd and his party have added a new and glorious page to American history by their heroic expedition into the Antarctic region. He will go down to the future as one of the outstanding figures of this wonderful age of great achievements.

While he was on this expedition another illustrious hero, who was one of my personal friends, met a glorious death in one of the most heroic expeditions ever undertaken by a human being, when Carl Ben Eielson crashed amidst the snows of Siberia. I trust that in honoring those who deserve the undying gratitude of the civilized world you will not overlook this great martyr who gave his life in attempting to relieve human suffering.

The story of his heroic life and tragic death will become a saga of the far north, to be repeated in song and story, as long as heroic deeds shall continue to stir noble sentiments in the human breast.

J. E. RANKIN.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
280 Madison Avenue, New York City, N. Y.

MY DEAR MR. WOODHOUSE: I take great pleasure in stating that I think Admiral Richard E. Byrd stands out and will stand out as one of the greatest figures of all times for having been the first man to have flown over both the North and South Poles. He must be made of the real stuff.

Sincerely yours,

SAM RAYBURN.

STATE OF KANSAS, Topeka.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: It was a stupendous adventure by Rear Admiral Richard E. Byrd and his Antarctic expedition when they set out on their long journey and to be first to fly to the South Pole. Its achievement sets the standard in the world's aerial history. To the sponsors of this memorial, the Aerial League of America, there can come no greater honors.

I am glad to express to you my appreciation for the share of glory which comes to your league and to the people of America because of the achievements of Commander Byrd and his associates.

I am pleased also that the Aerial League of America is to put in proper form a memorial expressing our country's appreciation to be presented to Commander Byrd.

CLYDE M. REED, Governor.

EXECUTIVE DEPARTMENT,  
Annapolis, Md.

Mr. HENRY WOODHOUSE,  
President Aerial League of America,  
280 Madison Avenue, New York City.

DEAR MR. WOODHOUSE: It is a privilege to record my profound appreciation of Rear Admiral Richard E. Byrd and of his memorable world achievement in being the first to fly to the South Pole. Passing fame comes to many. Fame which will endure for all time comes to but few. It is this enduring fame which Admiral Byrd's achievement has brought and has merited.

ALBERT C. RITCHIE, Governor.

FEDERAL RADIO COMMISSION,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
President the Aerial League of America,  
280 Madison Avenue, New York City.

MY DEAR SIR: You ask me to express my appreciation of the stupendous achievement of Admiral Byrd and his Antarctic expedition.



Assuredly, every American is proud of this great achievement. It was so remarkably planned and so wonderfully carried out that I feel like boasting that only a Virginian could have so fulfilled. Indeed, the achievement required the brave mind and sturdy physique of one descended from a Virginia pioneer. The same intrepid spirit that forged through the wilderness over the Alleghenys to the Ohio was manifested in the achievements of Admiral Byrd. With that spirit he has made use of the new things which have come to us, like the airplane and the radio, to distinguish his country. History will recount his achievements with first distinction. Far above the actual accomplishment, so glorious for America, is the lesson of the spirit of the leader.

IRA E. ROBINSON.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
*President of the Aerial League of America,  
280 Madison Avenue, New York City, N. Y.*

MY DEAR MR. WOODHOUSE: It is a delightful pleasure to contemplate the achievement of Rear Admiral Richard E. Byrd in his Antarctic expedition. His achievement at the South Pole is another outstanding evidence of the wonderful American spirit. Not only has his ability to fly to the South Pole and his observations made there been gratifying to all Americans but the scientific results will be of tremendous material and historical value in our world's future history.

The completeness and the modesty with which Rear Admiral Byrd has achieved success is a striking illustration of the spirit and character of America's greatest men. I congratulate you as president of the Aerial League of America for your deep and sincere enthusiasm and interest in accomplishments along the lines followed by Rear Admiral Byrd. He has not only written his name high in the annals of history but he has given a very prominent evidence of the power of the true American spirit to achieve and to leave its lasting lesson and benefits to the generations to follow.

M. A. ROMJUE.

UNIVERSITY OF MICHIGAN,  
Ann Arbor.

Mr. HENRY WOODHOUSE,  
*Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: I have your letter and have indeed no hesitation at all in saying that I think our country and the world at large owes Admiral Byrd a very great debt for his persistence and daring. Traveling in the air is still comparatively a new thing. He is making it clear to what purposes it may be put and to what ends, when further developed, aviation is going to lead civilization.

ALEXANDER G. RUTHVEN.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: It is with a great deal of pleasure and satisfaction that I comply with your recent request for an appreciation of the stupendous achievement of Rear Admiral Richard E. Byrd and his Antarctic expedition.

It is my opinion that Commander Byrd and his expedition have contributed one of the greatest chapters in the history of all exploration; more so because of the efficient use of aircraft. The use of airplanes in exploration have contributed in no small way to the stimulation of popular interest in geographical, geological, and archeological investigations. Through the romance of the airplane and the radio they have brought the achievements of scientists, who work quietly and with little publicity, before the masses of newspaper readers and have resulted in a greater appreciation of their problems and lifetime efforts to increase the world's scientific knowledge. The combination of radio with the airplane in the exploration of the world's least known continent has provided a spectacular record of achievement for the expedition.

I most sincerely congratulate Commander Byrd and his party on the conquest of the Arctic and Antarctic.

A. J. SABATH.

DEAR MR. WOODHOUSE: Be so good as to express to Admiral Byrd and his expedition the greetings of an old aviator for their stupendous achievements.

It does seem, as you suggest, only recently instead of close to 30 years ago, that my little airship made the first flight from St. Cloud to Paris, which you watched as a boy. Nor does it seem 25 years since I made the first public flight with my airplane.

But the monuments erected to commemorate those modest flights tell me that it did all happen so long ago, in what you have been pleased to call by the poetic name of "dawn of wings."

With you I mourn the fact that our old pioneer friends, Admiral Peary and Captain Amundsen, are not here to rejoice over the realization of their dreams by Admiral Byrd, whom I again salute.

ALBERTO SANTOS DUMONT.

UNITED STATES SENATE,  
COMMITTEE ON INTEROCEANIC CANALS.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

MY DEAR WOODHOUSE: I appreciate and admire Rear Admiral Byrd. As an American I glory in his Antarctic expedition. He was the first to fly to the South Pole. This first American to visit the Antarctic adds new luster to the glory of American exploration. His geographical exploration of the polar wastes of Antarctica is now safely consummated. His safe return has electrified the world. By his courage, heroism, and audacity all humanity is incited into new fields of human conquest.

A story of Richard Byrd's life of adventure and daring reads like a drama as stark and bold as a Greek tragedy. Through this latest achievement, among many others of which his life is full, he has made all mankind his debtor. He has associated the name of America with all that is romantic and intrepid in an age distinguished from other ages in history. The guardian of his fame henceforth will be the scroll of the great men of history.

We must not fail, however, to render due homage to Amundsen, Scott, and Peary, that triumvirate with whose names his is now inseparably connected. Amundsen and Scott were martyrs to the genius of exploration. But their spirits are aloft and rejoicing now in Byrd's triumph and safe return. Martyrdom or triumph, the spirit is the same.

THOMAS D. SCHALL.

UNITED STATES SENATE,  
COMMITTEE ON FINANCE.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: I have been an admirer of the achievements of Rear Admiral Richard E. Byrd for years past. His recent successful flight to the South Pole has again demonstrated to the world his adventurous nature, as well as his marvelous successes in the past.

The world owes Admiral Byrd a debt of gratitude for his many achievements in the last few years.

I take pleasure in expressing as an American citizen my appreciation for the share of glory that comes to all Americans through the accomplishments of Rear Admiral Richard E. Byrd.

REED SMOOT, *Chairman.*

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Hon. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

MY DEAR SIR: The achievement of Admiral Richard E. Byrd in exploring the Antarctic Circle and reaching the South Pole entitles him to immortal fame for several reasons, but the striking circumstance to me is the accurate anticipation of every emergency that would arise, the ample provision made to meet it, the complete organization of the forces, animate and inanimate, with which to pierce the veil of secrecy drawn over that frozen region, and the unfailing efficiency shown by the organization which accomplished its mission without loss of human life.

W. F. STEVENSON.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York, N. Y.*

DEAR SIR: I feel it an honor to have the privilege of expressing my appreciation not only of the great achievements of Rear Admiral Byrd but also of his sterling character.

I have known Rear Admiral Byrd from the time he was a lieutenant commander in the Navy, eight or nine years ago, and have watched his climb to fame with a great deal of personal satisfaction. I think everyone would like to say what I am saying, that they admire Admiral Byrd not only for his history-making achievements but also for what he is.

PHIL D. SWING.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

MY DEAR MR. WOODHOUSE: Responsive to your suggestion, I am very glad to write you this letter, touching the great achievement of Rear Admiral Richard E. Byrd and his associates in their recent Antarctic expedition and negotiation of the South Pole.

It is quite impossible to formulate any words in thought or sentiment which may do anything like justice to this magnificent adventure. The whole accomplishment is a miracle of the first order. Its conception, wise, sure planning and preparation, required hardihood, courage, persistency, and skill in carrying the idea to glorious fruition; and the realization, in the depths of the farthest seas and ice packs, of the splendid goal sought, without the loss of life or any serious mishap, certainly constitutes an achievement that shall forever stand forth in history as being inspirational in the highest degree and thus far without parallel.

As for Admiral Byrd himself, his achievements stamp him as being a viking of vikings, a man of greatly heroic vigor and stature, whose deeds shall thrill the human race so long as courage, vision, and the spirit of high adventure may furnish any appeal.

M. H. THATCHER.

CITY OF LANSING, STATE OF MICHIGAN,  
EXECUTIVE DEPARTMENT.

DEAR MR. WOODHOUSE: I have marveled many times at the wonderful courage of Rear Admiral Richard E. Byrd in making his Antarctic expedition. Feats of this nature are always interesting and worth while, but it seems that this particular one has more significance than a good many others. Mr. Byrd deserves the applause of the American people, and his name should go down in history as one of our foremost explorers and adventurers.

LAIRD J. TROYER, Mayor.

UNITED STATES SENATE,  
COMMITTEE ON INTERSTATE COMMERCE.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: To my way of thinking, the mere flight over the South Pole was one of the least accomplishments of the expedition headed by Rear Admiral Richard E. Byrd. The outstanding feature was the well-designed and elaborate planning of the expedition, which resulted in a minimum of hardship for the admiral and his hardy followers, and a complete accomplishment of all the objects sought.

So far as I am informed, the party is returning intact with priceless records and many miles of films, which will enable the people of the world to sit in comfort and see just what Byrd and his men witnessed. I understand that it will require many months to collate and analyze the scientific data obtained, but I am sure it can not fail to add greatly to the funds of both scientific and popular knowledge of the South Polar regions.

M. E. TYDINGS.

BATTLE CREEK COLLEGE,  
Battle Creek, Mich.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America, New York City.*

DEAR MR. WOODHOUSE: Remembering the delightful talk which Rear Admiral Richard E. Byrd gave before a group of our people and the pleasant personal contact which we made with him at that time, the students and faculty and trustees of Battle Creek College wish to express their deep appreciation of the honor he has brought to our country and the service he has rendered to science by his successful achievement of the Antarctic expedition.

PAUL F. VOELKER, President.

STATE OF NEBRASKA,  
EXECUTIVE OFFICE,  
Lincoln.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York, N. Y.*

MY DEAR MR. WOODHOUSE: The inhabited portions of the earth have been those most accessible, most prolific, most ready to serve the comfort and happiness of man. The fruitful valleys, with their ease of occu-

pancy and the loveliness of their surroundings, appeal to man as a place of abode and a home of comfort.

Consequently, the rugged, out-of-the-way places had to wait the coming of adventurers—men with vision, with determination and courage, to undertake the hazardous and the unknown.

Discovery requires the rare spirit, the man with combined imagination, courage, and fortitude, the man with real vision to see the unseen, and with the faculty of inspiring others to see, to accomplish great deeds.

Commander Richard E. Byrd is one of these rare spirits whose achievements have permanently placed his name on the scroll of fame. His last enterprise, now drawn to a successful conclusion, was most outstanding. The design, under which his plans were carried out, showed real generalship, and the fact that not one life was lost in the expedition indicates how he guarded his men.

In their exploration of the southernmost regions, Commander Byrd and his faithful men have earned the enduring gratitude of all mankind.

ARTHUR J. WEAVER, Governor.

THE SECRETARY OF THE INTERIOR,  
Washington.

MY DEAR ADMIRAL BYRD: Those of us who have sat close to the warm fires of civilization while watching your battle with elemental nature join in congratulations upon the success of your great expedition. Just about when we think the borders of the world are complete, you offer us the careful record of new discoveries.

RAY LYMAN WILBUR.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: Rear Admiral Richard E. Byrd, by making the first flight over the South Pole in his recent Antarctic expedition, has added a distinct contribution to the marvelous achievements of the unparalleled age of invention and discovery in which we live. Admiral Byrd will ever be numbered among the great explorers.

Very cordially,

WILL M. WHITTINGTON.

HOUSE OF REPRESENTATIVES,  
Washington, D. C.

Mr. HENRY WOODHOUSE,  
*President Aerial League of America,  
280 Madison Avenue, New York City.*

DEAR MR. WOODHOUSE: Rear Admiral Richard E. Byrd's notable feat of organizing the South Pole expedition, a tremendous accomplishment in itself, and of successfully negotiating the flight over the South Pole, has given the American people reason to place him and his brave companions on the heights where other national heroes are enshrined.

Very respectfully yours,

ROY O. WOODRUFF.

THE LITERARY DIGEST,  
New York.

DEAR ADMIRAL BYRD: At a time when the hearts of all the world are filled with admiration for the tremendous task which you and your comrades have so gloriously completed, I am more than happy to be afforded this opportunity of expressing to you my deep sense of appreciation and respect for your abilities as a leader and your splendid personal courage.

WM. SEAVER WOODS.

#### VII. THE REALIZATION OF GEORGE WASHINGTON'S PROPHECY THAT AERIAL NAVIGATION WOULD BECOME USEFUL TO MANKIND

The achievements of the Byrd Antarctic expedition, like those of the Byrd Arctic expedition, the Amundsen-Ellsworth-Nobile transpolar expedition, and the Wilkins expedition, and the score of trans-Atlantic flights that have been made since the American Navy officers opened the way with the NC seaplanes and the British R-34 made the first trans-Atlantic airship cruise in 1919 and the world cruises of the *Graf Zeppelin*, together with the thousands of airplanes that have been flying daily, carrying mail, passengers, and express, and rendering other useful services, represent the realization of the prophecies of the illustrious George Washington, who foresaw and wrote that aerial navigation would be useful to mankind and that people would cross the Atlantic by air.



Another great American, Benjamin Franklin, also was greatly interested in aerial navigation, and when he was asked what use there was to a balloon, he answered: "What is the use of a growing boy?"

HENRY WOODHOUSE,  
*Chairman, President of the Aerial League of America.*  
JOSEPHINE D. PEARY,  
*Widow of Admiral Peary, Discoverer of the North Pole.*  
C. M. CHESTER,

*Rear Admiral United States Navy, Retired; Member of the Committee That Passed on the Records of Admiral Peary's Discovery of the North Pole; Trustee of the National Geographic Society; Chairman of Antarctic Committee of the Aerial League of America.*

MARIE AHNIGHTO PEARY STAFFORD,  
*Daughter of Admiral Peary, Discoverer of the North Pole; Director of the Aerial League of America.*

ALAN R. HAWLEY,  
*Member of Original Polar Flights Planning Committee, Holder Since 1910 of American Long-Distance Balloon Record.*

ROBERT A. BARTLETT,  
*Captain of the S. S. Roosevelt of the Peary North Pole Expedition.*

FREDERICK S. DELLENBAUGH,  
*Vice President of the Explorers' Club.*

#### INLAND WATERWAYS

Mr. LETTS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address delivered by Halleck W. Seaman, of Clinton, Iowa, before the Rotary Club at Davenport, Iowa, with respect to the 9-foot channel on the upper Mississippi River.

The SPEAKER. Is there objection?

There was no objection.

The address is as follows:

Congress has commissioned the Farm Board to salvage agriculture from the wreckage of postwar deflation, whatever the cost. The law provides that the board is created "to formulate effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with industries."

Now, this job has as many angles as a worm fence. It zigzags all over the world, to wherever crops that compete with ours are produced. It must, for instance, keep a weather eye out for conditions that prevail in the wheat fields of Canada and the Argentines, and in those of Russia and Australia—but over the growing and marketing of which foreign wheat it has no control. It must judge the merits of the controversy now raging throughout our prairie States that the 3,000,000,000 gallons of blackstrap molasses imported annually from India, Java, and other foreign lands and converted at our Jersey coast distilleries into industrial alcohol, must give way to the use of the millions of bushels of our domestic surplus corn, as a tariff-protected raw material for the production within the Corn Belt area itself of an antifreeze for motor radiators, and for indispensable use in the arts and industries.

It will require an expert navigator to steer a safe course between the Scylla and Charybdis of its own admonitions—that less marginal lands be cultivated, and the settled but opposing policy of a Congress that created the farm board, in reclaiming more and more otherwise waste lands for the production of more and more surplus and competing yields.

As president of the farm board, it is conceded that Mr. Alexander Legge is a skillful agricultural navigator. As a boy on the farm he learned how to hoe his own row, what crop rotation means, what soil fertilization accomplishes, what the animal industry needs, and what joys as well as privations fall to the lot of the farmer. In manhood, as captain of the greatest agricultural implement industry in the world, he knows better, perhaps, than any other man the mechanics of farming—what tools best serve the farmer in planting and harvesting his crops. As a broad-shouldered, big-brained and highly successful business man and diplomat, he is eminently qualified to lead the fight for agricultural readjustment, so as to bring whatever measure of order is possible out of the chaos of instability that now confronts the most fundamental industry of the Nation. In tackling this herculean task, every patriotic American wishes him well and Godspeed.

But the Farm Board is not the only agency of the Government that is directly engaged in helping the farmer and, incidentally, the industrial wage earners of the valley States.

#### NEW WAYS TO MARKETS NEEDED

The Department of Agriculture is continuing its splendid research and country-wide educational work in promoting activities that make for better farming and better highways that will reduce the cost of transport from the farm to rail and market centers.

And the highly trained and efficient engineers of the United States Army corps attached to the War Department are and for a century past have been gradually improving our inland waterways channels to

prepare them to become the servants of the Nation in bearing their share of its dependable transportation service in both peace time and war time.

Prior to the Great War, however, our governmental policy toward this class of waterways improvements was weak, vacillating, and needlessly expensive. Army engineers were not to blame for the halfway jobs that were never finished. That was the fault of Congress in failing to adopt worth-while projects and to finance them to completion.

#### SUCCESSIVE CHANNEL PROJECTS

In 1878 Congress adopted a project depth of 4½ feet for the upper river channel. In 1907 this was increased to a 6-foot depth, and much wing-dam channel controlling work has already been accomplished. If Congress adopts the modified House bill now pending before the Senate for a 9-foot channel depth with widths suitable for long-haul common-carrier service, it will then give us a dependable connecting channel from the Twin Cities to the Gulf, together with 9-foot channel depths on both the Illinois and Ohio Rivers. This standardized channel will waste but a small fraction of the wing-dam system designed for the present 6-foot channel. It will be only necessary to extend these dams somewhat to still further confine the channel to the 9-foot requirements. South of the mouth of the Wisconsin there is at all times a sufficient volume of water for a 9-foot depth of channel at the lowest stage—other than at the LeClaire Rapids, which it is proposed to flood by the construction of a suitable lock and dam above the Rock Island Bridge at the Tri-Cities. It will make a pool with backwater up to about Camanche.

#### LOCAL BENEFITS FROM POOL

The incidental benefits to this community of such an arrangement will be outstanding. It will transform into still water an existing current over the rapids of 1.48 feet to the mile, whereas the average fall on the entire upper river is otherwise but about one-third that drop; or, to be exact, 0.576 feet to the mile. The top of the dam will serve as an additional vehicle bridge, of which you are sadly in need. More hydroelectric power than at present will be developed. Throughout the length of the pool the differential between high and low stages of water will be lessened, and consequently the depth of water at bank locations will become more stable owing to the greater spread. This condition is evidenced at the Keokuk pool. The tendency will be to line the banks of the lakelike spread above you with riverside industries.

#### FARM BOARD ONCE MORE

And now permit me to once more bring up the Farm Board and other interrelated agencies of the Government whose forces have been mobilized for the betterment of farm and factory conditions in these valley States, and particularly in those States which are tributary to this upper-river division of the Mississippi system. The activities of all of these agencies have a direct bearing on the 9-foot channel project.

#### WHENCE COMES SINEWS OF WAR

What are the sinews of war? They are: Men for the fighting and women for the hospitals; guns of all calibers and ammunition; efficient transportation on land and water; and last but not really first—victuals, without which no combatant forces can hope to survive—it is axiomatic that armies can not fight on an empty stomach.

Whence, then, come the bread and the butter, the beef, the pork, and the potatoes—the "big 5" that keep body and soul together, when our boys and girls are fighting for the honor and preservation of their country, for their loved ones at home, and for their own lives? The answer is obvious, when you appreciate the fact that in the last war nine-tenths of these foods that fed not only our American Army but the armies of our allies as well came from our valley States, and mostly from the North Central States.

Whence came the iron ore that made the pig iron, that made the steel, that made the guns and the armor plate, that helped to win the war? That also is obvious, since 85 per cent of all the commercial iron ore of the Nation is mined in our northern ranges. But do you realize that those wonderful iron mines are located about due northwest of Davenport, on a north and south line drawn through Cedar Rapids on the east and Kansas City on the west? And do you furthermore realize that a deposit of 40,000,000 tons of from 2 to 5 per cent manganiferous iron ore is located in the Brainard-Cayuna district, directly on the upper reaches of the same Mississippi River that flows past Davenport; that another 10,000,000 tons of red hematite iron ore is now developed and awaiting use at Waukon in northern Iowa, with a 25-mile down-hill pull to the river at Waukon Junction? Still further, that the sixty-odd million tons per year of iron ore of the Great Massabe ranges that feed the furnaces at Pittsburgh and Chicago through the port of Duluth can be brought by rail to riverside ore pockets at St. Paul for substantially the same cost as now to the Duluth pockets for lake transport?

#### TRI-CITIES CAN BE IRON AND STEEL MAKING CENTERS

Once again, do you know—and if you don't you here at the Tri-Cities are asleep at the switch—that iron ore can be barged from St. Paul on a 9-foot channel to any point on the river north of Memphis for less money than by lake boat to Cleveland and thence 150 miles by

rail to Pittsburgh? Yes; for even less money than these ores now cost to carry them that last 150 miles by rail alone. Coal, ore, and flaxes can be stock piled during the summer season against the ice-closed season—as both Pittsburgh and Chicago now do. The river also has the distinct advantage of a two to four months longer open season of navigation than has lake transportation through the locks at the “Soo.”

Just below Davenport on the very banks of the river you have a cement plant that can produce by-product limestone for fluxing the furnace iron ore melt. It can be barged to St. Louis for use there in a pig-iron mill that uses annually 1,000,000 tons of the Cayuna type of ores. Down there they are successfully making from southern Illinois coal both metallurgical and cupola coke in by-product ovens, using the coke to reduce the ore, and piping seventy out of the eighty million cubic feet of the daily gas production across the river to St. Louis, to the LaCade Gas Co.—which company, as well as the iron mills, are subsidiaries of the same holding corporation—the Utilities Power & Light Co. It takes a large population center to use up the by-product gas from a sizable coking plant. The Tri-Cities is the only such center on the river between St. Louis and St. Paul that at present could use the output, although like oil, gas can be commercially piped cross-country for thousands of miles to consuming centers.

With such great outstanding industries as French & Hecht, Bettendorf, Deere & Co., and your latest acquisition, the International Harvester Co., as well as smaller plants, that in the aggregate use a large tonnage of both pig iron and finished steel products, you have here a local market that should make the location attractive as an iron and steel making center. Various smaller industries that use finished steel as their raw material naturally seek locations in and about steel-making towns.

#### SAVINGS ON COAL FREIGHTS WILL PAY OFF CITY DEBTS

The one single item of a dollar a ton saved on the laid-down cost of southern Illinois coal to the Tri-Cities would go a long way toward paying off your bonded indebtedness in one year. And the completed 9-foot channel will see privately owned fleets of coal boats and barges operating on the upper river. They will take coal up to the fuelless Northwest as well as to intermediate points on the river and come back loaded with iron ore, which, together with sulphur and lumber, are about the only commodities for which open-top barges have interchangeable use.

There is need for 11,000,000 tons of southern Illinois coal in the upper-river territory, for not only river towns but for rail haul from river terminals to the deep interior. At present only 1,000,000 tons of this downstream capacity can be utilized—that consigned to East St. Louis. But eventually some of the larger steel companies will migrate to the river, and before long this complementary haul will become a splendidly balanced traffic—coal up, iron ore down. Anyway, coal, livestock, meat, and fruit cars are now all returned empty, and the downstream haul of a long string of empty coal barges is not expensive, especially with a bow boat to help around the bends. All the Ohio River coal and steel products barges are now returned empty to Pittsburgh.

#### GRAIN ON THE RIVER

The Farm Board is specifically enjoined by its creative law “to formulate effective merchandising of agricultural commodities in interstate and foreign commerce.” If agriculture, which means the producing farmer, is to profit by effective merchandising of grains through the agency of the Farm Board, then there can be no escape from the board providing large-capacity storage elevators at strategic rail crossing points on the upper river.

Up to date the activities of the board and its subsidiary, the Farmers' National Grain Corporation, have been confined to wheat, to the exclusion of corn and oats—the two main surplus grains of Iowa.

Now, the States mostly affected by a 9-foot channel on the upper river are Illinois, Iowa, Wisconsin, and Minnesota. Incidentally, and until the Missouri Channel is ready, North Dakota, South Dakota, and Nebraska are dependent upon upper river delivery.

These North Central States in 1928 produced a total of 358,415,000 bushels of wheat. But in that year they produced 874,149,000 bushels of oats, out of a total of 1,449,530,000 for the whole United States, and of which Iowa alone was responsible for 240,000,000 bushels; Illinois, 175,000,000; Wisconsin, 109,000,000; and Minnesota, 153,338,000.

We export but a paltry 10,000,000 bushels of oats annually. But the big market for the surplus oats, as well as the surplus corn, of the North Central States is our own domestic Southern States, shipped through the port of Memphis. In the absence of riverside elevators on the upper river how can the Farm Board effectively merchandise this surplus. They can not; and if they will only think of oats in like terms as they do of wheat they must and will then bend their energies toward the construction of riverside facilities for handling barge grain—oats and corn, as well as wheat—for both export and domestic deliveries.

#### LAST STORAGE POINTS FOR GRAINS

A 9-foot channel will enable these upper-river grains to go through to destination in the identical “original package,” and thus save the interminable delays and cost of transfer to lower-river 3,000-ton barges.

It is the duty of the Farm Board to save every penny per bushel for the farmer. Chicago elevators for western wheat, corn, or oats destined for either export or southern domestic deliveries only adds to, in place of subtracting from, the cost of effective merchandising. It simply means that Chicago lodged grains will go through to the more expensive eastern seaboard gateways and the farmers will lose to that extent. The Mississippi River is the first and the last storage point for grains. They can then be moved without additional cost to any domestic markets and for optional export through New Orleans or Atlantic coast gateways. Any departure from this most economical course will be in direct violation of the primary purpose of the agricultural act.

#### RIVER TOWNS NEED THIS BOOST

The current Federal census discloses the fact that for the 10-year period just passed the interior Iowa towns of Ottumwa, Cedar Rapids, and Waterloo have shown a far greater percentage of increase in population than have our eastern rim towns of Dubuque, Clinton, Davenport, and Burlington.

Some uncanny jinx has for long years past retarded the fortunes of these superbly located towns. They have failed to respond to the accepted laws of urban growth. The biggest towns in the United States, excepting those in Iowa, are located on that edge of their respective States that lies in the direction of the major flow of traffic, and also upon navigable waters. Run over in your mind the list of such towns of over 500,000 population and you will agree that all of them conform to these conditions—and for the reason that they are able to intercept and process the raw materials from the hinterlands, whole low-cost, in-and-out water transportation makes them attractive to industries seeking a location.

#### MUST CONQUER OUR JINX

Now, even a superficial knowledge of the inner workings of railroad practices will disclose the identity of that jinx—the hidden hand that has so mercilessly strangled the logical aspirations of our eastern river towns. Summing up, it may be said that the underlying reason is in the long-haul fetish of the railroads. Wherever possible they insist upon taking their once entrained agricultural tonnage to their Chicago terminals. They have an innate fear of the ultimate return of river transportation. Coupled with this is, of course, the lack of ownership of our western roads by western interests, or, conversely stated, their domination by Atlantic seaboard interests that see in dependable river transportation a body blow to the heretofore unnatural flow of western export tonnage through eastern seaboard gateways.

Give us a 9-foot channel to the Gulf and an enforcement of the provisions of the Denison bill, then conditions will be quickly reversed for our river towns. The interior Iowa towns above mentioned, all of which are packing-house centers, will continue to grow, but the river towns will become bigger centers. They will eventually slaughter the cattle and hogs of Iowa that now go to Chicago. They will become the logical location for grain elevators with their by-product conversion mills, will become the seat of a new pig-iron and steel-making industry, will become ports of entry for the distribution by rail and motor truck to the interior for the raw materials that originate in our own Southland or that are imported through New Orleans—the coal, oil, sulphur, salt, lumber, sisal, fertilizers, cottonseed meal, flaxseed, and other key products. While this forecast presents a bright picture for the river-town vision, yet its final spread upon the canvas of reality demands our utmost care and vigilance to see that the high lights are not again blurred by eastern seaboard jealousy.

With exception of your flour-mill organization, Davenport has so far not warmed up to river transportation as it should. Neither are you sufficiently alive to the local importance of the 9-foot channel survey and estimate contained in the pending rivers and harbors bill for the Hennepin Canal. If the upper river 9-foot channel project carries, then it is a foregone conclusion that the deepening and widening of this connecting link between the river and the Great Lakes will follow as a matter of course. To become a port at the junction of the Hennepin and the Mississippi should in and of itself cause some commotion in this community. Moline and Rock Island beat you 40 ways for Sunday in that respect. But, in any event, far-seeing Jerry Murphy will not have lived in vain.

#### THE RAILROADS AND THE RIVER

Are you afraid of your railroads? If you have been, forget it. The “Q” is meaner than dirt with the waterways. They now haul your coal, but dollars count with coal as with other transportation costs.

The Milwaukee is a bit whiter than the “Q” but the Milwaukee is not a coal road for these parts, and, anyway, it does not operate along the river below Muscatine, so you don't need to fear that road.

The Rock Island is your mainstay. A while back this road also fought against waterways, but now a change of heart as well as of policy has, perforce, come over its management. As you well know, the “Frisco” owns the controlling interest in the Rock Island. The “Frisco” is very much of a waterways fan, because by and large it profits from its relation with the barge line out of Gulf ports. Recently Mr. Gorman was the first of the so-called “granger” road executives to break away from the unholy railway antiwaterways alliance with the “Q,” the Milwaukee, and the North Western. He has entered into a most sat-



isfactory switching arrangement with the Federal barge line for serving the new Peoria docks. While he may be obliged to make balking gestures to satisfy his New York bankers, who would, if they could, deny to their rail-river crossing lines any aid or comfort to waterways which move "their" tonnage to the Gulf at right angles to the major flow of "their" east and west traffic. They want all western traffic to be carried on through to Chicago, to be there turned over to "their" eastern seaboard lines for export through Atlantic-coast gateways. New York throws a fit when the port of New Orleans is mentioned. So while "Jim" Gorman, who, in addition to being the most able railroad executive, is also a delightful gentleman, may demur on the fact of it—yet in the end he will gracefully do everything you may reasonably ask him to do to help build up your community by profiting from your river strategy—and the necessities of his own railroad.

#### NOW IS THE TIME TO ACT

Our railroads broke down under the added strain of war-time congestion. It was then that our waterways, poorly equipped as they were, came to the rescue. This deplorable lack of coordinated rail and water transportation, at the very time when our national existence was at stake, was the means of crystallizing in Congress a firm determination to once and for all condition our commercially navigable streams into a dependable system of freight carriers. Such a great work of internal improvement to be of use in war time must be undertaken and finished in peace time, when the slack in unemployment can be taken up, and when the operation of boats and barges can be given a try out. Suitable terminals must be built, the interchange of water-borne traffic with rail and motor carriers must be arranged for, and the territory served by the rivers must become used to and must use river transportation for its upbuilding, all of which takes years to accomplish.

#### ITS NATIONAL DEFENSE VALUE

It is the duty of our War College officials at Washington to look ahead and to visualize the tactics of probable or possible enemy forces. These professional strategists lay out in advance our plans of battle, offensive or defensive. It is an open secret that they do not hesitate to disclose their decisions to the members of the Naval and Military Affairs Committees of both the Senate and the House. They say that should this country be attacked by a coalition of two or more first-class European powers, with Japan in the Pacific, and should they break through our naval defenses on either one or both of our ocean coasts, then by falling back upon the Mississippi our forces could hold indefinitely and bid defiance to the world. We could starve out any invading enemy.

Their judgment is largely predicated upon our ability to concentrate sufficient fighting units within the protected waters of the Gulf and the Caribbean, which together form our American Mediterranean, and to hold inviolate that key to our national defense. Our bulwarks of the sea, with San Juan and Guantanamo as the eyes of the canal, would constitute an impenetrable breastplate over that pulsing heart of the Nation, that full granary of the Nation, that bulging storehouse of the Nation's sustaining foods—our incomparable valley of the Mississippi. In other words, that our mid-American Mississippi Valley is in the last extremity the real backbone of our national defense.

The men who represent us in Washington, in both the Senate and the House, are the pick of the Nation. Individually they may be Republicans or Democrats, they may come from the North or the South, but collectively and regardless of party affiliations they instantly drop all petty bickerings and present a solid patriotic phalanx wherever and whenever the honor of their common flag is insulted or the perpetuity of the Nation is threatened.

#### RAILROADS MUST COOPERATE

It was this concern of our War College that actuated the Members of both the Senate and the House to vote unanimously for the passage of the Denison bill. This bill is one, if not the one, most drastic regulatory measures ever enacted by Congress for curbing the railroads in their attitude toward inland waterways. It forces the heretofore arrogant "public-be-damned" railroads to make joint rates and equitable divisions of revenues with the Federal barge line and other common carriers operating upon our rivers, and the railroads must now make the same switching rates with these water carriers as they do between themselves.

Physical rail connections with public barge terminals are also provided for. This is the glorious outcome of a long and hard-fought battle for the ultimate enfranchisement of the Middle West from the dominating New York banker-controlled western lines.

The Mississippi Valley Association, whose membership covers these valley States, has sponsored this fight for Middle West relief. This splendid and powerful organization will continue to function until the fetters that have so long bound this great bottom-land area of the Nation have been finally broken.

#### IS DAVENPORT WATER MINDED?

Davenport is one of the two conspicuous river-rail crossing towns on the upper river which thus far have not shown an appreciation of the epoch-making import of this work of Congress. What has Davenport

as a city thus far done to capitalize upon its new-found river trunk-line opportunities? What will it do in the near future to make of itself not only the biggest town on the eastern rim of Iowa but the metropolis of all Iowa?

Davenport must first of all become river minded, 9-foot channel minded, and extension minded.

#### THE BORDER PATROL ACT OF 1930

Mr. CLANCY. Mr. Speaker, I ask unanimous consent to extend my remarks on the border patrol act.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLANCY. Mr. Speaker, under leave to extend my remarks on the Hudson border patrol act of 1930, which will probably come up for consideration on the floor of the House in the near future, I wish to point out certain additional objections to the proposed measure.

Those arguing for the bill fully realize the terrific outburst of indignation of the American people against cruel and unusual punishments and the severely restrictive laws advocated or placed on the statute books by the Anti-Saloon League and radical prohibitionists. Therefore, they try to dodge the onus of this measure that it is primarily a prohibition measure, by claiming that it is not; and they try to emphasize it as enforcement of immigration, customs, narcotics, and other laws.

#### AMERICAN FEDERATION OF LABOR OPPOSES BILL

The American Federation of Labor, which is a strenuous advocate of strict immigration laws, and undoubtedly of narcotic laws, emphatically opposes this bill, and registered its protests in the hearings before the House Interstate and Foreign Commerce Committee on April 24 and 25.

W. C. Roberts, legislative representative of the American Federation of Labor, said:

We are opposed to this unified border patrol, because we fear it has only one purpose, to enforce one law. We have fought for years to get a border patrol to protect us from an influx of immigration, without avail, but now we consider that the whole purpose of this bill is just merely to have another border patrol to enforce the prohibition act, and I think the immigration act is just as important if not more so.

The American Federation of Labor takes a stand on legislation only after the most careful consideration. This flat statement that the bill is a prohibition measure may be accepted as 100 per cent true. It is useless for the proponents of this measure to try to becloud the measure by referring to the smuggling of narcotics. It would be just as senseless to urge that the measure will aid in the prevention of smuggling of diamonds. Both diamonds and narcotics are done up in such small packages that the main smuggling of them into the country is done through ports of entry.

Everyone familiar with the enforcement of the customs laws knows that the smuggling of diamonds is generally detected by agents abroad, who get the records of purchases made by American citizens. The same very often applies to narcotics. Then, tips also come to the Treasury Department from confidential sources in the United States.

#### LEAGUE DEMANDS MARTIAL LAW ON BORDER

The background of this legislation shows what its purpose is.

Dr. Clarence True Wilson wrote a famous article for Collier's Weekly some months ago urging that the United States Marines be called out on the border to prevent the smuggling of liquors. He particularly urged that they be stationed at Detroit.

You know that the calling out of the marines on Americans meant a declaration of martial law and that the Bill of Rights of the United States Constitution would be abrogated. Then search and seizure would be allowed, the writ of habeas corpus would be denied, guilty Federal agents would be tried by military authorities and court-martialed rather than in the courts of the land before a jury of their peers.

This statement from a leading official of the Anti-Saloon League met with fierce condemnation from the press of the country.

#### THE NOTORIOUS WIRE FENCE

The next suggestion from the Anti-Saloon League was that a wire fence be erected on the Canadian and Mexican borders. The newspapers carried the information that this idea was being seriously considered by the Treasury Department. The suggestion brought forth terrific condemnation from honest and intelligent American citizens.

Then Representative GRANT M. HUDSON introduced his bill on March 27, 1930, "To regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes."



## HUDSON ASKS MILITARY RULE

The House Interstate and Foreign Commerce Committee flatly rejected the idea of placing the Coast Guard in charge.

The Coast Guard is a part of the Military and Naval Establishments of the United States. Its men are enlisted for a period of three years, and the bill bore a dangerously close resemblance to the proposal of Dr. Clarence True Wilson—that the United States Marines be called out and placed on the border.

The House Interstate and Foreign Commerce Committee instead provided that the bill now before the House should establish a Civil Service Commission personnel.

However, these men will carry firearms. The objection was made that the establishment of a United States Coast Guard on the Canadian and Mexican frontiers would break treaties and understandings expressly forbidding a military establishment on our borders, and this armed border patrol may cause complications with our friendly neighbors. The purpose of forbidding an armed force on the border was to prevent these complications.

This bill does provide a standing army. What will Canada and Mexico say?

I have already placed considerable material in the RECORD to show that the border prohibition-enforcement squads have already made serious efforts to invalidate the navigation and customs laws which protect the tens of thousands of innocent small boats on the border.

## LIQUOR FLOW NEARLY STOPPED

The purpose of this bill is to harass these innocent persons just as far as possible because they believe that stringent regulations and severe inspection methods may now and then develop a violator of the prohibition laws. It aims to prevent much innocent traffic to catch a few violations.

Hon. Ogden Mills, Undersecretary of the Treasury, was liberal enough to point out in the House Interstate and Foreign Commerce Committee hearings that under the old laws of Canada not more than 3 or 4 per cent of liquor consumed in the United States came across the four borders of the United States—Atlantic, Pacific, Mexico, and Canada. Mr. Mills showed that \$15,000,000 is being spent on the land borders and \$22,000,000 on the ocean borders to prevent the importation of this 3 or 4 per cent. He also declared that \$15,000,000 is being spent to prevent the sale of 95 per cent of the liquor consumed which is manufactured in the United States.

Incidentally the Canadian Maritime Minister in charge of the liquor division claims that under the old Canadian laws only 2 per cent of the liquor consumed in the United States came from Canada. But now the Canadian laws have been changed and a very strict embargo has been placed on the exportation of liquor to the United States. It is being rigidly enforced by the Canadian border patrol, which is generally acknowledged to be far more honest and efficient than the American border patrol. Thus it may be truthfully said that less than one-half of 1 per cent of the liquor consumed in the United States is now coming from Canada.

## THE DREADFUL MONEY WASTE

According to Mr. Mills's figures the cost of watching our borders will not be decreased from the \$37,000,000 now being spent. Instead, with the menace removed almost entirely, this bill proposes to increase the cost of border inspection by about \$4,000,000 per year when the establishment gets to working for it.

We are facing a deficit in the Treasury and we have to save and skimp and we have to cut down the bill taking care of disabled veterans who served this country so nobly in the Great War, and yet we aim to spend \$41,000,000 on the border and \$15,000,000 on land, aside from any other incidental costs—\$56,000,000 per year to enforce a bad law which makes a crime of something that is not really a crime—the manufacture, sale, and transportation of liquor. It is not recognized as a crime in practically every civilized country in the world and has gained the protection and regulation of foreign governments.

Now, I pointed out some weeks ago that the Hudson border patrol act actually repealed the navigation laws governing small boats—that is, yachts under 15 tons burden—and the two tariff acts of 1922 granting immunity to small boats under 5 tons burden which were not carrying merchandise purchased or obtained abroad. These two tariff acts of 1922 have just been carefully considered by this Congress for 18 months and were approved by Congress and were considered by the President when he reviewed the tariff bill, and were approved by him a few days ago.

Yet the customs authorities agreed with me that the navigation law and the customs laws would be repealed by this bill as reported out of the House Interstate and Foreign Commerce Committee if the language were allowed to stand.

## BILL PARTIALLY AMENDED

On June 25 the House Interstate and Foreign Commerce Committee took action recommending the amendment of the Hudson bill, at the end of paragraph (1) of section 4 (a), as follows:

Or for the convenience of persons entering the United States on vessels which under the laws applicable thereto are exempt either from reporting arrival or from making formal entry at a customhouse.

I made my objections to the Treasury Department legislative agents and to certain members of the House Interstate and Foreign Commerce Committee and to the Rules Committee. They agreed to amend the present Hudson bill.

For several days the legislative agents of the Treasury Department struggled with the problem. One of them admitted to me that the repeal of the navigation laws of 1912 and the repeal of the aforesaid tariff acts of 1922 and 1930 would work a great hardship to the tens of thousands of owners of canoes, rowboats, sail boats, outboard motors, and motor boats plying on the Great Lakes and St. Lawrence borders of the North and the Rio Grande border of the South. They agreed that it would be absolutely impossible in the Great Lakes region for such boats to proceed to a customs port of entry after the usual innocent visit in Canadian waters or the usual innocent landing on Canadian shore of millions of persons.

They made the flat statement that this amendment will prevent the repeal of the aforesaid navigation and customs laws and that small boats will not be harassed under the Hudson law, if passed, any more than they have been in the past.

## THE WORD OF HONOR

They have faithfully promised on their word of honor, and Representative HOMER HOCH, chairman of the subcommittee in charge of the bill for the House Interstate and Foreign Commerce Committee, has informed me that he will make a statement on the floor of the House that it is understood that these navigation laws will not be repealed by this amended bill and that the owners of small boats will not be required to register any more in the future than in the past. This is a great victory for the small-boat owner.

The navigation law of 1912 was placed on the books only after the most careful hearings before the House Merchant Marine and Fisheries Committee. It was sponsored originally by Representative William C. Redfield, of Brooklyn, N. Y., who afterwards became Secretary of Commerce. It was advocated in debates on the floor of the House by Representative Alexander, of Missouri, who afterwards became Secretary of Commerce. It was also advocated by one of the most painstaking Republican leaders of the House during our lifetime—Hon. James R. Mann of Chicago, who understood Great Lakes conditions. Then followed the custom acts of 1922 further protecting the small boats.

## MY EXPERIENCE IN THIS FIELD

Treasury Department officials and Members of the House told me that they never realized that the bill would repeal the aforesaid navigation and customs laws, but I knew that the bill would, as I enforced the navigation laws for four years when I was secretary to the Assistant Secretary of Commerce; for five and one-half years I was United States customs appraiser for the entire State of Michigan, and enforced the customs laws.

For two years, during the Great War, I was manager of the United States World Trade Board, covering the State of Michigan and much of the Great Lakes region. During the war no exports or imports could cross that border without my consent. Therefore, I am an expert on border traffic and on navigation and customs laws. I am convinced that the "jokers" in the border patrol act would tremendously embarrass and unreasonably persecute hundreds of thousands of innocent citizens.

## THE GOOD OLD BORDER CLOSED

The proponents of this bill claim that it will work no inconvenience to honest American citizens. They claim it will not compel voluntary or even compulsory registration of thousands of innocent American citizens, but yet when they speak of their regulations they immediately begin to talk of permits to cross the border—they really mean passports—and they place an artificial restriction on a border which has been open for 116 years to innocent citizens. They refuse to reveal their "regulations" in full.

At the opening of the international bridges at Detroit and at Niagara Falls both the Canadian and American statesmen boasted of the open border and the friendly international relations, and the fact that there was almost as much easy freedom of passage between the United States and Canada as there is between American States.

## MORE TROUBLE AND BLOODSHED

This Hudson bill will change all this—it will give an officious and oftentimes a brutal prohibition-enforcement patrol—one



more reason to stop and search American citizens who are not carrying any merchandise whatsoever and demand their permit or passport as a pretext. Bloodshed and all sorts of troubles will result.

The proponents of this measure claim it does not make a new crime, but yet it provides for the arrest of innocent persons and the penalty of \$100 if they do not report to a customhouse or designated port of entry after an innocent visit to Canada when they have not purchased any merchandise.

The American Federation of Labor has taken a stand against alien registration because their late president, the great labor leader, Samuel Gompers, said that the registration of aliens would lead to the registration of American citizens.

That was odious, because it meant the Russian system of registration and cross-examination of innocent citizens. This bill means a great scheme of police surveillance of innocent Americans.

There is no parallel between the registration of automobiles which proceed in traffic and may become death-dealing machines, or the registration of motor boats for the same reason, or the registration of hundred of hunters and fishermen who come into a State to catch merchandise, such as wild animals, birds, and fish. This bill makes a new crime and a new closed-border principle. It will undoubtedly lead to many tragedies, because the prohibition border patrol will claim, when they shoot a man, woman, or child, that they shot because the person was trying to evade inspection, or that they were trying to find out if the American had a permit to cross the border.

#### A SHAMEFUL LIE

I find that this bill has been speeded in its passage through the House by the assertion of its proponents that "only the bootleggers are objecting to it." It is a wicked and malicious falsehood. I have already cited the strenuous objection of the American Federation of Labor. I now insert a list of names of over 100 prominent citizens of Michigan, of public officials, and a list of highly reputable yacht clubs and boat clubs and of boat and yacht manufacturing concerns. They took the trouble to protest to me against the Hudson bill in letters and telegrams. The partial list of protesters is as follows:

#### THE ALLEGED "BOOTLEGGERS" WHO PROTESTED

Alfred J. Garska, president Grosse Pointe Park, Mich.; K. A. Haulter, village president and president chamber of commerce, Algonac, Mich.; H. Lloyd Clawson, mayor of Royal Oak, Mich.; Chris Smith & Sons Boat Co., Algonac, Mich.; Commodore A. A. Schantz, director Detroit & Cleveland Navigation Co., Detroit, Mich.; Commodore Otto F. Barthel; Commodore L. J. Gilbert; Commodore E. J. Stafford; Commodore R. W. Rennie; Commodore A. J. McLeod, Algonac, Mich.; Norman Soderlund, manager Detroit Yacht Club; Col. J. G. Vincent, vice president Packard Motor Car Co., Detroit, Mich.; Howard M. Grant, president Grant Marine Motor Co., Detroit, Mich.; Charles L. Nevins; Frank B. Plath; G. R. McGee, Highland Park, Mich.; Robert W. Jean; A. B. Wagner; P. C. Chesterfield; George Snyder; R. B. Evans; A. C. Kell; John H. Rooks, Peoples Wayne County Bank, Detroit, Mich.; L. F. R. Bellows; I. M. Kirlin; P. V. Sweringen; William Weldbusch, secretary Lions Club, Grosse Pointe Lions Club, Grosse Pointe, Mich.; W. Wetzel; D. O. Stuart; Normie Baylis; Dr. W. D. Ford; Dr. C. W. Adams; Dr. George H. Voelkner; H. Vansickle; George E. Van; Leo J. Monahan; L. J. Shiltson; Harold A. Merz; Howard Donaldson; A. J. Langhammer; Councilmen John C. Nagel, Arthur E. Dingeman, W. P. Bradley, John F. Hall, Robert G. Ewald, Philip A. Callahan, John A. Kronk, common council, city of Detroit, Mich.; Albert A. Reese; Maj. E. S. Evans, president Detroit Board of Commerce; Commodore George Harrison Phelps; Commodore George J. Haas; Scripps Motor Co.; Commodore Robert Oakman; Commodore W. E. Adams; Grosse Pointe Yacht Club, Grosse Pointe Shores, Mich.; St. Clair Flats Association (Stanley F. Bates, secretary); R. S. Asbinwass; W. A. Frederick; Harry A. Miller; E. A. Baumgardener; S. C. Fitzgerald; John G. Wood; T. W. Chilvers; M. A. McLean; C. T. Chenevert, Trenton, Mich.; C. G. Truxell; J. W. Fortune; Rex Jacobs; T. F. Beckhold; Edward A. Zerbe; C. A. Pressland; J. B. Shepard; Dr. Arthur J. Jones; Dr. E. G. Minor; James F. Golds; C. C. Winningham; Jay F. Gibb, city manager, Royal Oak, Mich.; J. P. Farr, Kermath Manufacturing Co., Detroit; A. J. Widman; C. S. Jacobs; C. J. Lynch; Robert N. Brown; Don Wallace; L. Jacobsen; W. E. Phelps; J. P. Hesserion; H. S. Phelps; M. O. Cross; J. P. Allmand; H. V. Beroneon; Dr. L. F. Burlingame; G. M. Mathews; George R. Spaulding; William A. Rowe; Charles B. Brady; William B. Wreford; William P. Fisher; C. E. Dawson; Civent Link; J. S. Eldridge; L. G. Gillette; J. J. Miller; D. A. Schindler; S. W. Ryssam; E. F. Baker; E. V. Vollbrack; M. A. Killian; William Taylor; H. A. Chapoton; A. B. Heavenra; S. A. Werback; Miles N. Culehan; H. Higginbottom; Norman Jarratt; J. E. Farber, Flint, Mich.; Robert C. Graham; Dr. A. R. Hackett; Dr. Harold E. Clark; W. F. Caldwell; M. T. Gagnier; K. L. Moore, president Grosse Pointe Farms, Michigan, and Village Council, as follows: Herman Donzero, Arthur Gardner, Francis J. Hock, William J. Mason,

James Rasmussen, Joseph Snay; George J. Hass; Albert Solland, senior flag officer Pacific Coast Yachting Association, Pacific International Yachting Association, Yacht Racing Association of San Francisco Bay, Southern California Yachting Association; Paul H. Deming; Donald O. Stuart; Elizabeth F. Farland; John M. Thompson, secretary the Old Club, at St. Clair Flats, Mich.; Andrew G. Schlee, Schlee-Brock Aircraft Corporation, and commodore Lake Shore Country Club, Roseville, Mich.; board of directors of Edison Boat Club, Detroit; James T. McMillan, president Detroit & Buffalo Navigation Co., Detroit, and director of the Detroit & Cleveland Navigation Co., Detroit; L. H. Thompson, president of the Marine Industries Association, Detroit; W. D. Edenburn, secretary of the Marine Industries Association, Detroit; Chris Smith, president of the Chris Smith & Sons Boat Co., Algonac, Mich.

#### A FORMER MEMBER SPECIFIES

I have received letters of complaint giving specific reasons for amending or killing the bill. I now insert a carefully written letter from a former Member of Congress, Hon. Vincent M. Brennan, who is now one of our most distinguished circuit court judges of Detroit.

It is as follows:

DETROIT, MICH., June 23, 1930.

HON. ROBERT CLANCY, M. C.,

House Office Building, Washington, D. C.

DEAR CONGRESSMAN CLANCY: Permit me to congratulate you upon the excellent work you have been doing in opposition to the section of the Hudson bill which would require small pleasure boats to "clear in" through United States customs in all cases where the boat had crossed the international boundary line. As you know, I have been a motor-boat enthusiast for over 25 years, and at the present time am the owner of a boat, from which both my family and I derive much diversion and recreation. Very frequently we find occasion to make short trips in the Canadian waters in the vicinity of Detroit. It would be an unnecessary hardship and a tremendous inconvenience if we were required to report to customs authorities every time, for instance, that we took a pleasure jaunt around Peche Island.

I sincerely hope that you will be successful in your efforts to prevent passage of this section of the proposed measure. I have spoken to a large number of boat owners in this vicinity, and they are unanimously and emphatically opposed to the proposal. In my humble opinion the United States Government would make itself ridiculous by imposing such restrictions on the activities of legitimate watercraft, and I trust and hope that this portion of the bill will be eliminated.

Very truly yours,

VINCENT M. BRENNAN,  
Circuit Court Judge, Detroit.

#### THE BAD BOYS DUCK TO COVER

There are many false statements being made about this bill, as there usually are when any desperate prohibition measure is being advocated. Other men are claiming credit for having this bill amended when they know in their hearts that they were eager and willing to let the bill go through without amendment until I took up the battle to amend or kill the measure.

#### TWO TRIBUTES

I now insert two telegrams from men who have been carefully watching the progress of this legislation for several months.

DETROIT, MICH., June 24, 1930.

Congressman ROBERT H. CLANCY,

House of Representatives:

Congratulations on successful fight you have made on behalf of the many thousand cruising yachtsmen on border waterways. Credit is entirely due to your watchfulness and aggressive fighting. Boat owners in your district should be grateful and not forgetful of your interest in their behalf. Our association certainly appreciates your efforts.

L. H. THOMSON,  
Marine Industries Association.

DETROIT, MICH., June 24, 1930.

HON. ROBERT H. CLANCY,

House Office Building:

Retel thanks all your efforts and your watchfulness over interests of the yachtsmen and congratulate you on your victory.

MARINE INDUSTRIES ASSOCIATION,  
W. D. EDENBURN, Secretary.

#### AN INTERPRETATION

I now file a letter from Secretary Mellon, promising reasonable enforcement regulations, to House Interstate and Foreign Commerce Committee:

JUNE 24, 1930.

MY DEAR MR. CHAIRMAN: In accordance with your request, the Treasury has carefully reviewed certain objections which have been



urged in opposition to the border patrol bill (H. R. 11204), particularly with respect to its application to certain classes of boats or yachts arriving from foreign waters. It has been stated that the provisions of the bill as reported by your committee amend or repeal existing laws exempting such vessels upon arrival in the United States from making formal entry at a customhouse or from making a formal report to a customs officer.

It seems to me that the objections are probably occasioned by a misunderstanding of the applicable provisions of the bill and of the intended administration of them. There is nothing in the bill which affects in the slightest the duty under existing law, or the exemption from the duty, to make formal entry or to make a formal report of a vessel arriving from a foreign country. Under the bill, every person entering the United States, whether afoot or by vessel, automobile, airplane, or other conveyance, must enter at a designated point unless the specified exemptions are applicable to him. The pertinent provisions of the bill are as follows:

"It shall be unlawful for any person to enter the United States from a foreign country at any place other than a point of entry which shall be designated by the President, except that this section shall not be applicable in the case of—

"1. Any patron who is entering the United States complies with regulations which shall be prescribed by the President for the convenience of persons residing or owning property on or in the neighborhood or vicinity of the boundaries of the United States.

"2. Any person who is entering the United States complies with the air commerce act of 1926 and the regulations prescribed thereunder."

Exception (1) is broad. It was intended to grant relief from the exacting requirement of entry only at a designated point in just such situations as are involved in the present discussion, if the immigration, customs, narcotic, and other similar laws are not being violated. The Treasury is fully appreciative of the various situations and has contemplated regulations under the bill which would in fact promote the convenience of law-abiding persons returning to the United States upon small boats or yachts.

For example, the Treasury has contemplated that the regulations will permit persons to enter the United States substantially as they now enter if they arrive upon a vessel exempted by law either from reporting arrival or from making formal entry at a customhouse, and if they may do so without violating any of the other laws applicable to the entry of persons or merchandise, unless this privilege must be denied by reason of the fact that the owner or operator of the vessel has previously been found guilty of a violation of immigration, customs, narcotic, or other similar laws.

Under the present law, every vehicle, regardless of whether it carries merchandise, must report to the customs officer at the nearest port of entry (sec. 429 of the tariff act of 1930).

Masters of all vessels coming from a foreign port or place are required by section 433 of the tariff act of 1930, unless otherwise provided by law, to report the arrival of the vessel at the nearest customhouse. While the law is somewhat ambiguous, it is the position of the Treasury that the only vessels that are not required to report their arrival are vessels of 5 net tons, which are not carrying merchandise and which arrive in the United States from contiguous countries. Yachts of 15 gross tons or under not permitted by law to carry merchandise or passengers for hire are not required to make entry at a customhouse (sec. 441 of the tariff act of 1930). Accordingly, the vessels referred to in section 441 of the tariff act of 1930, as well as vessels of less than 5 net tons not carrying merchandise arriving from contiguous countries, will be covered by the regulation to be issued pursuant to exception (1), with the result that in reality no additional burden will be imposed on them.

The border patrol bill requires entry into the United States to be made at designated points, except in the cases referred to in section 4 (a). This merely means that a vehicle or person, if on land, must pass into the United States over, for example, certain designated highways or bridges. Highways or bridges regularly used by law-abiding travelers will be designated and not such places as a wilderness bounding contiguous countries or a mountainous region not accessible to regular travelers. If entry is to be made by water, it will merely mean that the vessel will come up to a particular dock or other convenient point designated, and not the bank of the river in a wooded or otherwise secluded spot, or a similar landing place such as might be used by smugglers of aliens or merchandise in entering the United States. It is not the intention to regulate persons residing or owning property on or near the boundaries of the United States, or vessels which are not now required to make entry at a customhouse or to report to a customs officer on arrival, to enter at the regular points of entry. It might be found convenient in certain cases to designate special points of entry for vessels, for example, docks along river boundaries, but a careful investigation must be made with a view to arriving at a convenient yet effective method of taking care of the varying situations.

It is believed that the language of paragraph (1) of section 4 (a) is sufficiently broad to enable the President to cover the situation in

the foregoing manner. However, since some question has arisen as to its intended application to water craft, it is my opinion that a clarifying amendment is advisable. It is suggested that the following be added at the end of paragraph (1) of section 4 (a): "or for the convenience of persons entering the United States on vessels which under the laws applicable thereto are exempt either from reporting arrival or from making formal entry at a customhouse."

The important thing to be borne in mind is that it is not the intention of imposing any unreasonable requirements upon any law-abiding person residing, owning property, or vacationing along the boundaries of the United States.

Very truly yours,

A. W. MELLON,  
Secretary of the Treasury.

#### A DECISION OF THE UNITED STATES SUPREME COURT

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a decision of the United States Supreme Court.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD of Georgia. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I am submitting a decision rendered on May 19 last by the Supreme Court of the United States, dealing with the rights of innocent lienors and proceedings in connection therewith, where automobiles or other carrier vehicles are condemned in connection with the illegal transportation of intoxicants under the Volstead Act.

This provision for the protection of automobile owners and innocent lien holders having been written into the act on July 19, 1919, by an amendment offered by me and this amendment, which has saved hundreds of millions of dollars to innocent lienors and owners of automobiles and other carrier vehicles, being the first amendment ever offered to a bill by me and the first law ever written by me, it is only natural that I should be interested not only in this decision but as well in all decisions that from time to time have been handed down by the Supreme Court of the United States and other courts of last resort.

Many States of the Union have followed this law in writing their own statutes dealing with liens on automobiles and other vehicles condemned in connection with the liquor traffic.

It is interesting to note that prior to the adoption of my amendment neither the Federal statutes nor the law of any of the States, so far as I am advised, had any law affording the protection to innocent people provided by this amendment.

The Supreme Court decision referred to by me is as follows:

#### SUPREME COURT OF THE UNITED STATES

Richbourg Motor Co., Intervenor, petitioner, v. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit

Davies Motors (Inc.), petitioner, v. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

(May 19, 1930)

Mr. Justice Stone delivered the opinion of the court:

In these cases certiorari was granted, 280 U. S. — and 281 U. S. —, respectively, to pass on the question whether proceedings for the forfeiture of a vehicle seized under section 26 of the national prohibition act<sup>1</sup> as one used for unlawful transportation of intoxicating

<sup>1</sup>Section 26, Title II, of the national prohibition act, c. 85, 41 Stat. 305, 315 (U. S. C., title 27, sec. 40):

"When the commissioner, his assistants, inspectors, or any officer of the law shall discover any person in the act of transporting in violation of the law intoxicating liquors in any wagon, buggy, automobile, water or aircraft, or other vehicle, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law. Whenever intoxicating liquors transported or possessed illegally shall be seized by an officer he shall take possession of the vehicle and team or automobile, boat, air, or water craft, or any other conveyance, and shall arrest any person in charge thereof. Such officer shall at once proceed against the person arrested under the provisions of this title in any court having competent jurisdiction; but the said vehicle or conveyance shall be returned to the owner upon execution by him of a good and valid bond, with sufficient sureties, in a sum double the value of the property, which said bond shall be approved by said officer and shall be conditioned to return said property to the custody of said officer on the day of trial to abide the judgment of the court. The court upon conviction of the person so arrested shall order the liquor destroyed, and unless good cause to the contrary is shown by the owner, shall order a sale by public auction of the property seized, and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay all liens, according to their priorities, which are established, by intervention or otherwise at said hearing or in other proceeding brought for said purpose, as being bona fide and as having been created without the lienor having any notice that the carrying vehicle was being used or was to be used for illegal transportation of liquor, and shall pay the balance of the proceeds into the Treasury of the United States as miscellaneous receipts. All liens against property sold under the provisions of this section shall be transferred from the property to the proceeds of the sale of the property."



liquor, but where there has been no prosecution for that offense must be had under that section, or whether they may be prosecuted under the provisions of Revised Statutes, section 3450.<sup>2</sup> The latter authorizes the forfeiture of vehicles used in the removal or concealment of any commodity with intent to deprive the United States of any tax upon it, which is made a criminal offense. The section does not, as does section 26, protect the interests of innocent lienors. (*Goldsmith Grant Co. v. United States*, 254 U. S. 505; cf. *Van Oster v. Kansas*, 272 U. S. 465.)

In each case the court of appeals answered the question by affirming a judgment of a district court, forfeiting, under section 3450, automobiles in which the petitioners, respectively, asserted an interest as innocent lienors. (*Richbourg Motor Co. v. United States* (4th Circuit), 34 F. (2d) 38; *Davies Motor Co. v. United States* (9th Circuit), 35 F. (2d) 928.) In each a person operating an automobile belonging to another was arrested and arraigned before a United States Commissioner on a charge of illegal transportation of intoxicating liquor. The liquor and the car used for its transportation were seized by the officer making the arrest. The United States Attorney did not proceed with the prosecution of the charge, but procured the indictment and conviction of the prisoners, under section 3450, for removing and concealing spirits with intent to defraud the Government of the tax.

The proceedings presently involved for the forfeiture of the vehicles were also had under that section. In each the respective petitioners intervened, setting up that they were lienors under conditional contracts of sale, to persons other than those arrested, and that petitioners and the conditional vendees were innocent of any participation in the unlawful acts charged. In No. 452 the court refused a request of petitioner to submit to the jury the question whether the seized automobile was used in the unlawful transportation of liquor and whether the persons in the car were arrested at the time of its seizure, and refused a motion to dismiss the libel on the ground that by such arrest and seizure the Government was bound to proceed for the forfeiture of the vehicle under section 26, and barred from proceeding under section 3450. In No. 569 trial was by the court without a jury, which found the facts as already stated, and decreed forfeiture of the vehicle under section 3450.

By section 5 of the Willis-Campbell Act of November 23, 1921 (c. 134, 42 Stat. 222, 223), all laws relating to the manufacture, taxation, and traffic in intoxicating liquors and penalties for their violation, in force when the national prohibition act was adopted, were continued in force except such provisions as are "directly in conflict with any provision of the national prohibition act."

In *United States v. One Ford Coupe* (272 U. S. 321) it was held that there was no such direct conflict between section 26 and section 3450 as to preclude the forfeiture of the interest of an innocent lienor under the latter, where the intoxicating liquor was concealed in the seized vehicle with intent to defraud the Government of the tax, and where it did not appear that there was transportation of the liquor. In *Port Gardner Investment Co. v. United States* (272 U. S. 564) and in *Commercial Credit Co. v. United States* (276 U. S. 226) it was held that prosecution and conviction of the offender for the transportation of intoxicating liquor under the prohibition act, barred forfeiture of the seized vehicle under section 3450, since the disposition of the vehicle after the conviction, prescribed by section 26, is mandatory. These cases left undetermined the question now presented, whether, under section 26, the mere arrest of the person discovered in the act of transportation, and the seizure of the transporting vehicle, bar the forfeiture under section 3450.

The language of section 26 is in form mandatory throughout. It is made the "duty" of the officer discovering any person in the act of transporting liquor to seize the liquor, when "he shall take possession of the vehicle" and "shall arrest any person in charge" of it. He "shall at once proceed against the person arrested under the provisions of this title." The vehicle "shall be returned to the owner" upon his giving bond. "The court upon conviction of the person so arrested . . . shall order a sale by public auction of the property seized," and the officer making the sale "shall pay all liens which are established . . . as being bona fide and as having been created without the lienor having any notice that the carrying vehicle was being used or was to be used for illegal transportation of liquor. . . ." It is plain that whenever the vehicle seized by the arrest-

ing officers is discovered in use in the prohibited transportation, literal compliance with these requirements would compel the forfeiture under section 26, with the consequent protection of the interests of innocent lienors. To that extent section 26, if interpreted to exact such compliance, is in direct conflict with the forfeiture provisions of section 3450 and supersedes them whenever any person within the provisions of section 26 is discovered "in the act of transporting . . . intoxicating liquors in any . . . vehicle," which liquor is "removed . . . deposited or concealed . . . with intent to defraud the United States" of the tax.

But the Government contends that section 26 is not to be read thus literally; that it was not intended by its mandatory phrases to do more than state generally the duty resting on all law-enforcement officers to enforce the law, but which leaves them free when the same act or transaction constitutes an offense under different statutes, to proceed under either one. It is argued that section 26 could not have been intended to preclude district attorneys from prosecuting violations of section 3450 merely because they involve transportation, and it can no less be taken to deprive them of their election to forfeit the offending vehicle under either section.

Undoubtedly "shall" is sometimes the equivalent of "may" when used in a statute prospectively affecting Government action. (See *Railroad v. Hecht*, 95 U. S. 168; *West Wisconsin Ry. Co. v. Foley*, 94 U. S. 100, 103.) The usual provisions of criminal statutes that the offender "shall" be punished as the statute prescribes is not necessary to be taken, as against the Government, to direct prosecution under that rather than some other applicable statute.

But the prescription in detail, by section 26, whenever transportation is involved, of successive steps to be taken which, if followed, lead unavoidably to forfeiture under that section and no other, with the important consequence of protecting the interests of innocent third persons, suggests a definite purpose to make the protection effective by bringing all forfeitures in such cases under its controlling provisions. If the purpose were the more general one of imposing on Government officers the general duty to procure the forfeiture at their election, either under section 26 or any other applicable statute, most of the requirements of section 26 might have been omitted. The end sought could have been attained more easily by the simple enactment, in the language of section 3450, that the offending vehicle "shall be forfeited," saving the rights of innocent lienors if the proceeding were had under section 26.

It is to be observed that section 26 neither prohibits transportation of intoxicating liquors nor prescribes the punishment of the offender. That is provided for in sections 3 and 29, as amended by the Jones Act (45 Stat. 1446). The general duty of investigating and reporting violations of section 3, as well as other sections of the national prohibition act, to United States attorneys is imposed on all prohibition officers by sections 2 and 29. That duty is mandatory. (*Donnelly v. United States*, 276 U. S. 505.) The general duty to prosecute all criminal offenses is imposed on district attorneys by Revised Statutes, section 777. The objective of section 26 is not the prosecution of the offender, elsewhere provided for, but the confiscation of the seized liquor and the forfeiture of vehicles used in its transportation, to the limited extent specified in the section. Every act which it enjoins on public officials is directed to that end.

In providing for forfeitures under this section, Congress was not unaware that the enactment of the national prohibition act would enormously increase seizures of vehicles beyond those made under section 3450, and that their forfeiture would place an increased and heavy burden on many innocent persons unless afforded some protection by the new legislation. By section 26 it gave such protection in all cases where the prosecution of the person guilty of the transportation is had under the national prohibition act. This would have been but an idle gesture and the congressional purpose would have been defeated if in practically every case where the transporting vehicle is seized the prosecuting officers could compel forfeiture of the interests of innocent third persons under section 3450. Yet that is the effect of the construction of section 26 contended for by the Government, since, with the enactment of national prohibition, there can be few cases of illegal transportation which do not involve the concealment of nontax-paid liquor. (See *One Ford Coupe v. United States*, supra, p. 326.)

We think that Congress did not take the precaution to enact the carefully chosen language of section 26 merely to impose general duties on prosecuting officers already placed on them by other sections of the act, but that its purpose was to preclude the nullification of the protection which section 26 had extended to innocent third persons.

This court has already held that the provision in section 26 that "The court, upon the conviction of the person so arrested, shall . . . order a sale by public auction of the property seized" is mandatory and requires the forfeiture to proceed under that section. (*Port Gardner Investment Co. v. United States*, supra; *Commercial Credit Co. v. United States*, supra.) No tenable ground of distinction is suggested which would enable us to say, where forfeiture is involved, that the preceding requirement of the section, that the proceedings against the person arrested "shall be under the provisions of this title," is any less so.

<sup>2</sup> Section 3450, Revised Statutes (U. S. C., Title 26, Sec. 1181):

"Whenever any goods or commodities for or in respect whereof any tax is or shall be imposed, or any materials, utensils, or vessels proper or intended to be made use of for or in the making of such goods or commodities are removed, or are deposited or concealed in any place, with intent to defraud the United States of such tax, or any part thereof, all such goods and commodities, and all such materials, utensils, and vessels, respectively, shall be forfeited; and in every such case all the casks, vessels, cases, or other packages whatsoever, containing, or which shall have contained, such goods or commodities, respectively, and every vessel, boat, cart, carriage, or other conveyance whatsoever, and all horses or other animals, and all things used in the removal or for the deposit or concealment thereof, respectively, shall be forfeited. And every person who removes, deposits, or conceals, or is concerned in removing, depositing, or concealing any goods or commodities for or in respect whereof any tax is or shall be imposed, with intent to defraud the United States of such tax or any part thereof, shall be liable to a fine or penalty of not more than \$500. . . ."



The conclusion we reach is not without support in the legislative history of section 26. The clause protecting the interests of innocent lienors was added by amendment in the House of Representatives to H. R. 6810, which became the national prohibition act. The sponsor for the amendment pointed out that the procedure prescribed by the section as originally drawn protected the interests of the innocent owner and stated that the amendment was designed to save from forfeiture the interests of innocent lienors and innocent owners alike. (CONGRESSIONAL RECORD, 66th Cong., 1st sess., vol. 58, pt. 3, p. 2902, July 19, 1919.)

Report No. 151 of the Senate Judiciary Committee on this bill, August 18, 1919, Sixty-sixth Congress, first session, stated that the "seizure of any vehicle in which liquor is being transported in violation of law, together with liquor being transported, is authorized, as well as the arrest of the person engaged in such illegal transaction, the property seized to be disposed of under the direction of the court, as provided in section 26."

We are of opinion that under section 26 it is the duty of prohibition officers to arrest any person discovered in the act of transportation and to seize the transporting vehicle; that such arrest and seizure require the Government to proceed for forfeiture of the vehicle under section 26. It is unnecessary to say whether, if for any reason the seizure can not be made or the forfeiture proceeded with, prosecution for any offense committed must be had under the national prohibition act rather than other statutory provisions. Reversed.

#### THE TARIFF

Mr. CROWTHER. Mr. Speaker and gentlemen of the House, on page 10854 of the CONGRESSIONAL RECORD of June 16, 1930, in a discussion of the Hawley-Smoot bill, I find the following statement by a distinguished Member of the Senate from the Southland:

Hypocrisy is inseparably connected with the passage of this measure.

Mr. Speaker and Members of the House, in view of the absolute failure of a single member of the Democratic Party, following their platform promises, to offer even a constructive thought during the preparation of this measure, I consider the charge of hypocrisy comes with very poor grace at this hour. Let me say to my Democratic friends that we welcome the tariff as a campaign issue.

Mr. JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. CROWTHER. No; I can not yield, my time is limited. If I can secure more time I shall be glad to yield to the gentleman. Republican Members of the House, let us read to every audience in this fall's campaign section (d) of the Democratic national platform:

Duties that will permit effective competition—

The same old competitive idea—

insure against monopoly, and at the same time produce a fair revenue for the support of government.

A fair revenue! What do they mean by a fair revenue? Why not be more specific?—

The actual difference between the cost of production at home and abroad, with adequate safeguard for the wage of the American laborer, must be the extreme measure of every tariff rate.

Now, let us review the tariff sections of the Democratic platforms and see just how they have attacked the protective tariff policy over a period of years. In 1924 the Democratic Party declared for a competitive tariff, and that is never protection. In 1920 they reaffirmed their traditional policy of a tariff for revenue only. In 1916 they declared for a tariff for revenue again, leaving out the word "only." In 1912 they reiterated their charge that the laying of tariff duties, except for the purpose of revenue, was unconstitutional. This campaign declaration was followed by the enactment of the Underwood-Simmons bill, which would have wrecked industrial activity in the United States, had it not been for the World War, and the resulting embargo on imports. In 1908 the Democratic Party in their national platform called for tariff reform. In 1904 they declared that protection was robbery, and again called for revision downward. In 1900 they denounced the Dingley bill in the following language:

We condemn the Dingley bill as a trust-breeding measure.

In 1896 they declared for tariff for revenue only, and found fault with the Supreme Court for its adverse decision on the income-tax rider of the Wilson bill, which was designed to supply the shortage of \$75,000,000 in revenue as estimated by the experts. In 1892 they said:

We denounce the McKinley tariff law as the culminating atrocity of class legislation.

How familiar that language sounds to us in 1930. We have had a repetition of these vicious epithets almost daily for the past year. As we review these party platform declarations the outstanding fact is that nothing but abuse and malicious slander has ever been heaped upon tariff bills enacted by the several Republican administrations. During the preparation of these bills thousands of witnesses appeared before the several Ways and Means Committees and presented their statements and proofs as to the necessity for tariff protection. There is no doubt but that these witnesses in their political faith were fairly equally divided as between Republicans and Democrats. The Republican Ways and Means Committee has always given the utmost consideration to the Democrats, not only of the South but of every section of the country, and have never denied them protective rates when they submitted evidence of the necessity. Out of an average membership of about 160 on the Democratic side over a period of years, there have been but 10 Democrats who have consistently supported Republican tariff bills. The remainder of them have pleaded with the committee that the interests of their constituents be not neglected, and after we have complied with their requests they have shown their appreciation by voting against the tariff bill.

Consistency is not one of the sparkling jewels in the Democratic crown. [Applause.]

In 1928 the Democratic Party announced that it had embraced the policy of protective tariff and set up a standard for the determination of ad valorem and specific rates. Their conduct during the preparation of the Hawley-Smoot bill permits of but one conclusion, and that is that they were insincere in making that declaration and insincerity is a synonym for hypocrisy.

There is as little truth in the charge that "hypocrisy is inseparably connected with the passage of this measure" as there would be in the statement that Benedict Arnold was the father of his country and that George Washington was a traitor.

#### DEMOCRATS CHIEFLY RESPONSIBLE FOR DISTRESS DUE TO DELAY

It is a matter of history that business slumps occur during the periods of tariff making or revision. In spite of this fact the Democratic Party used every effort to delay its final passage. The Democratic National Committee opened up a barrage of vituperation, slander, and half truths, with no other object in view than to discredit the Hawley-Smoot bill and paralyze business enterprise. They tore up their platform promise for protective tariff, and thereby acknowledge that it was only "a scrap of paper."

It has always been their idea that they could make good campaign material by denouncing the tariff. They howl about it not being treated as an economic problem, and then they proceed to discuss it entirely from the political angle. The one hope that they cherish day and night during their gabfest is that the tariff bill will become a law and that their constituents will derive considerable benefit as a result of its passage.

If we could sum up all the business activities and plans that have been held in abeyance during this period of doubt regarding the passage of the tariff bill, we should find that the Democratic Party, aided by the pseudo Republicans, have contributed enormously to the present unemployment and resulting distress.

#### DEMOCRATIC CRITICISM OF GAG RULE

On March 31 the gentleman from Arkansas [Mr. RAGON] delivered a carefully prepared speech decrying the method that had been adopted by the Rules Committee and accepted by the House to expedite the passage of the tariff bill. He referred to the tragic position that the majority Members found themselves in as a result of their voting for the rule. With all the fervor of an amateur tragedian he tore from a copy of the bill before him four pages, and holding them aloft cried out in stentorian tones, "There were only 4 pages of 434 in the bill given any consideration."

The gentleman from Texas [Mr. GARNER], the minority leader, on May 9 said on this floor:

I solicit of you at least honesty in the consideration of it. You should consider it according to the rules of the House and not put it on its passage without full and free discussion.

#### DEMOCRATIC PROCEDURE IN 1913—GAG RULE ENFORCED

I now present the history of the consideration of the Underwood-Simmons bill, and I call the attention of my friend the gentleman from Texas [Mr. GARNER] to the first paragraph and its reference to the obvious oversight in placing a duty of 20 per cent on mohair, while raw wool was placed on the free list.

You will observe that the Underwood bill was considered in caucus—a Democratic caucus, no Republicans admitted—and that on the floor of the House when the bill was read for amendment strict orders had been given to vote down any and all



amendments offered by the Republicans. So that the offering of amendments was a mere farce and another demonstration of pure, unadulterated hypocrisy. And these are the pure and undefiled, the great unwashed, who chided us for voting for a gag rule.

#### DEMOCRATIC CAUCUS ON UNDERWOOD BILL

(As reported in the New York Times, April, 1913)

April 9, 1913: The Democrats this day began consideration of the tariff bill behind closed doors in party caucus, proceeding under the 5-minute rule. Schedules A and B (chemicals, and earth, earthenware, and glassware) were taken up. All proposed amendments to the committee bill were defeated. The press report stated that President Wilson had revisited the Capitol for the purpose of personally conferring with the Members on the proposed bill. The following is an excerpt from the articles as it appeared in the Times: "Some of the amendments under consideration by the President and his Cabinet, as well as in the House and Senate, involved the correction of obvious oversights on the part of the majority of the Ways and Means Committee. One of these was the leaving of mohair with a duty of 20 per cent, while raw wool was put on the free list" (April 10, p. 3).

April 10: The metal schedule was taken up and considered. Amendments proposing to decrease—but mostly to increase—rates were all voted down by a 2-to-1 majority. The press report states that most of the amendments offered were inspired by telegrams and protests which Members had been receiving from their districts, and went on to say that the best they could do was to telegraph back to their constituents that the schedules had already been passed by the caucus (April 11, p. 2).

April 11: The first amendment to the committee bill was made when the caucus, by a large vote, decided to put shoe machinery on the free list for the purpose of hitting the shoe-machinery trust. The committee did not oppose the amendment very vigorously. An amendment to put machine tools on the free list was defeated by 12 votes. The Ohio delegation tried in vain to have the Payne rates inserted in the bill. Schedule D (wood) was passed quickly without change (April 12, p. 2).

April 12: Schedules E (sugar) and F (tobacco) were adopted without change. The committee was supported overwhelmingly on the sugar provisions sponsored by the President, which made a 25 per cent annual reduction in the rates for three years, with free sugar after that time. The Hardwick amendment, which proposed to make sugar free at once was defeated 39 to 155. The Broussard amendment proposing a reduction in the rates on sugar from \$1.90 per hundred to \$1.425 per hundred until 1916 and \$1.215 a hundred between 1916 and 1919 was voted down, 86 to 5. A motion by Mr. BROUSSARD to postpone the placing of sugar on the free list until 1917 was defeated, 102 to 40. (April 13, p. 2.)

April 14: Schedule G (agriculture) was taken up. A proposal to transfer cattle to the free list was defeated, 122 to 81, while a similar motion with reference to sheep was likewise voted down by a vote of 62 to 98. A motion to restore the Payne rates on barley was voted down, as were motions to put duties on oats and rice. (April 15, p. 2.)

April 15: A motion to shift wheat to the free list was defeated, as was a motion to raise the rate thereon from 10 to 15 cents per bushel. The caucus likewise refused to change the rates on lemons, citrus fruits, and pineapples. Mr. BROUSSARD offered amendments to admit chicory, cocoa, chocolate, and other coffee substitutes free of duty, which were all defeated. Schedule H (wines and liquors) was then taken up and adopted without change. During the consideration of Schedule J (cotton) a motion was offered to raise the rate on cotton yarns 5 per cent all along the line, which was voted down, 19 to 84. (April 16, p. 2.)

April 16: The cotton schedule was completed, it being adopted without change. An amendment was proposed seeking to prevent a reduction in the hosiery rates, which was defeated, 76 to 17. An amendment to increase the rates was rejected by a vote of 49 to 33. A proposal to increase the rates on collars was defeated, 96 to 27. The committee's proposal for free raw wool was sustained by a vote of 190 to 42 when Representative Dies, of Texas, sought a duty of 15 per cent ad valorem. In this amendment some of the members of the Ohio delegation gave him vigorous support. Chairman Underwood, in answering remarks that the President had written the bill, stated, according to the press report, that out of 4,000 and more items in the bill the President only made these two suggestions (referring to sugar and raw wools). "It seems to me," said Mr. Underwood, "that we should accept those suggestions from the President of the United States." (April 17, p. 1.)

April 17: Discussion on the wool schedule was continued. Representative Bathwick, of Ohio, led a fight to put ready-made clothing on the free list. The vote was 99 against and 68 in favor of the motion. The leaders made no attempt to defend the 35 per cent rate, feeling sure of being sustained. They became more active on the next amendment, which proposed to reduce the rate on fabrics to 15 per cent, and it was overwhelmingly defeated. A futile attempt was made to raise some of the rates in the paper schedule, after the silk schedule previously had been adopted without change. The sundries schedule was

likewise passed without change. With the assent of the committee, phosphoric acid was transferred to the free list. (April 18, p. 3.)

April 18 and 19: Other committee amendments were adopted. In accordance with an understanding of the previous day and in response to pressure from various sources, the committee agreed to rescind their action in the matter of placing a duty of 50 cents a pound on vanilla beans, and they were restored to the free list. The committee also agreed to reduce the rate on onyx to the same rate as had been fixed for marble. In addition, the committee rescinded its action in placing a duty of 10 per cent on rabbit furs and restored them to the free list, where they had been under previous acts. This action was taken in response to the complaint of the hat makers. (April 18, p. 3.) Representative Humphrey, of Missouri, proposed to strike out of the bill a provision allowing a discount of 5 per cent of the duty in the case of goods imported in American ships. His motion was defeated, 128 to 60 (April 20, p. 1.)

So you see the Underwood bill was written by the Democratic members of the Ways and Means Committee, considered for amendment first in Democratic caucus under the 5-minute rule, while on the House floor a Republican had about as much chance of amending the bill as the proverbial snowball has of maintaining its integrity in the torrid atmosphere of Hades.

And now at this good hour they prate of inconsistency and hypocrisy.

The following excerpts are from an editorial in the San Francisco Chronicle:

#### TARIFF CAN NOT RAISE PRICES WITH OVERPRODUCTION

A lot of this talk about the tariff raising the cost of living is pure assumption. We might go even further and call much of it pure buncombe.

Examine the present situation in this country. It will then be easy to see why the notion that the tariff will raise prices is, in most cases, nothing but assumption—not to say buncombe.

This country is suffering from overproduction in all lines. If you can show how a tariff duty or anything else is going to raise prices while there is overproduction, you are a wonder.

It is pretty hard to get away from that old law which says prices go up when the articles are scarce and stay down when they are too plentiful.

Every farmer knows that when there are too many potatoes in the country he is not going to get much for his potato crop. And while there are too many potatoes the tariff could go sky-high without lifting the price.

What a tariff duty could do in that event would be to prevent a lot of foreign potatoes from being dumped here to increase the surplus.

That is just the case in the United States at the present time. There are too many goods of all kinds on hand and too many being made for the demand at this time. This is self-obvious, for if there were not too many products being made, factories wouldn't be cutting down their output. We have a surplus of products of all kinds.

Does anyone want this condition? Does anyone think it good for the country?

Any foreign products imported in lines that we produce ourselves merely increase the surplus. Does anyone think this is good for business and employment in this country?

If an increased tariff will shut out some of these foreign-made goods now adding to the overproduction surplus in this country and let our own factories get to working again, we can not think of anything much better that could happen.

There is a lot of buncombe, too, in the notion that foreign-made goods sell cheaper in this country. They are sent over to sell at American prices, not at lower prices.

When the Democratic Underwood tariff cut down duties and let floods of European goods into this country, did anyone notice that they sold cheaper? These goods sold at the prices of American goods of the same grade and in competition with them and threw out of jobs the American workers who would otherwise have been making them.

And that was a pretty dull period in the United States, with factories easing off and shutting down until the war came along to stop European competition with American workers. If the range of prices was lower than it was because Americans were out of work and had no money to buy.

Tariff duties that equalize low living standards abroad with costs under American standards and so make it no object for Europeans and Asiatics to send their goods here do not raise prices. They merely keep the jobs for American workers.

We want enough tariff to keep the world abroad from adding to our present overproduction surplus. We want American factories to get up to full speed again.

We take no stock in this talk of foreigners ceasing to buy our goods if we raise our tariff. Foreigners do not buy American goods because they love us, but because they have to have the goods. They will keep on buying them for the same reason.

Theorize all you like. The fact remains that under a protective-tariff system the United States has been raised to a point where the common ordinary person has more, enjoys more, and is more than anywhere else on earth.

In answer to the reckless statements as to what additional burden some of the rates would place upon the consumers, I quote from the evidence of Mr. E. O. Wells, of Wellsville, Ohio, on page 1276, volume 2, of the hearings. Mr. Wells said:

Our prices to-day are much lower than they were in 1922 when the Fordney-McCumber bill was passed. Prophecies were made by friends of the importers on the floor of the Senate that the addition we got then of an ad valorem duty of a little bit would increase the price to the housewives of this country by \$12,000,000 on their annual purchases. The actual fact is that they are buying American and foreign dishes to-day, both for 25 per cent less than they bought them in 1922.

The following statement by the Secretary of Commerce, R. P. Lamont, is so comprehensive that it deserves the consideration of the membership of the House:

LAMONT TAKES UP DEFENSE OF TARIFF—RECALLS THAT ACT OF 1922 STIRRED AS MUCH PROTEST AS PRESENT MEASURE—LAUDS FLEXIBLE CLAUSE

A formal statement in defense of the new tariff bill challenging assertions that it would be a detriment to American business was issued by Secretary Lamont yesterday, representing research findings of the Commerce Department.

#### RECALLS 1922 SITUATION

"I have been asked what effect the new tariff will have on our foreign trade," Mr. Lamont said.

"Some light on this question may be gained from the experience after the passage of the tariff act of 1922. That act raised the level of duties, as compared with the Underwood Act, much more than has been done in the present revision. As many protests were received from foreign countries as have been received in the present year, and there were just as many predictions of disaster to our foreign commerce.

"What actually happened: In the seven years under the 1922 tariff act our total imports increased 41 per cent. Imports of manufactured goods from Europe rose from \$340,000,000 in 1922 to \$581,000,000 in 1929, or by 45 per cent. These gains were not due to increased prices of commodities.

"Our imports from Germany and Czechoslovakia more than doubled; from Italy they increased 83 per cent; from Belgium, 87½ per cent; from Spain and Switzerland, about 25 per cent each; and from France, 20 per cent. The United Kingdom is the only important European country from which we purchased less in 1929 than in 1922, and this falling off was not due to changes in our rates of duty.

"During the same period our exports of finished manufactured goods, the class most affected by the tariff of foreign countries, increased practically 100 per cent. Every year following the enactment of the 1922 act showed a marked gain until the present year.

"It is obvious, of course, that the reductions in imports and exports which began in the latter part of last year are not to be attributed either to the discussion of our tariff or its enactment. There has been a recession in business and a reduction in prices throughout the world. Other countries, as well as ours, have seen their trade in both directions decline during recent months.

#### PROTESTS FROM ABROAD

"Much has been made of the protests presented by various foreign nations during the course of the tariff discussion. There is nothing new in such protests. Every country, including our own, shows concern when other countries propose increasing their tariffs.

"The United States is not alone among nations in making changes in its tariff levels. Forty or fifty other countries have made general upward revisions since 1925, including nearly all of those countries which have protested against the proposals to increase our rates.

"The protests which have been made by foreign governments to us in connection with the 1930 tariff may seem to indicate a wide sense of grievance. However, they include protests made over the course of more than a year during the various stages of the tariff bill. In a considerable number of cases the proposed increases to which they related were not finally enacted; as, for example, in the case of laces, bananas, jute, and shingles. In other instances the rates objected to were materially moderated during the progress of the bill, so that as finally passed they are not much different from what they were before, as in the case of plate glass, rayon, Swiss cheese, soybean oil, oriental carpets, perfumery, and pharmaceuticals. The rates on silk goods caused consid-

erable anxiety at times, but the final average increase in duty is less than 5 per cent ad valorem.

#### NEW FLEXIBLE CLAUSE

"Taking these points into consideration, we find that those protests which actually apply to the act as passed, and which relate to changes of duties of possible real importance to the protesting countries, amount to probably not more than 10 or 12 per cent of our total imports.

"Perhaps the most important feature of this tariff bill is the new flexible clause. The old one did not work very well. The present clause is more effective, in that the commissioners have greater latitude at arriving at differences in costs of production as a basis for adjusting rates. If a foreign country believes that any of our tariffs are unduly high and prevent competitive shipment into the United States, it can present its case to the reorganized Tariff Commission, which, in collaboration with the President, has the power, if the complaint is justified, to rectify the rates.

"This new proposal for dealing with such cases by a semijudicial body is unique in the world's tariff procedure.

"Considering these things:

"(1) The steady growth for many years of both exports and imports in spite of increases in previous tariffs;

"(2) The relatively small percentage of our imports to which the protests of our foreign friends apply; and

"(3) The availability of a workable flexible clause to adjust unfair situations.

"We believe the new tariff law will not retard the amazing growth of our foreign trade. It should be remembered also that four-fifths in value of our imports consist of goods which are either free of duty or unchanged or reduced in duties under the new law.

"The United States will continue to buy from and sell to the nations of the world vast quantities of products. Our great and growing buying power, partially, no doubt, a result of the protective system under which we have grown up, enables our people to steadily expand their purchases from foreign countries."

The SPEAKER. The time of the gentleman from New York has expired.

#### PROSPERITY AND THE TARIFF

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

Mr. IRWIN. Mr. Speaker, I do not care to object, but this is Private Calendar day, and many Members are anxious to have the calendar considered. I will not object to the request of the gentleman from Georgia, but I shall object to any further requests for time.

Mr. EDWARDS. Mr. Speaker, I do not know that I will use the whole of the five minutes so kindly allowed me.

The gentleman from New York [Mr. CROWTHER], who has just completed his remarks, just a week ago assured this House and the country that as soon as the tariff bill became a law the sunshine of prosperity would break upon the country. I want to ask him where the sunshine has broken, and whether it was that sunshine that caused the stock market to go all to pieces the next day after the tariff bill was signed?

Mr. CROWTHER. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS. I yield.

Mr. CROWTHER. If the gentleman from Georgia has time, will he explain to the House what degree of relativity obtains between the tariff bill and the crash on the stock market? The gentleman would have to be an apt pupil of Einstein to explain that, even to his own party. [Laughter.]

Mr. EDWARDS. I want to tell the gentleman that he stood the other day in the rôle of an Einstein on the floor of this House and undertook to prophesy the great prosperity that would come to this country on the passage of the tariff bill. We see no signs of onrushing prosperity yet. To-day there are thousands and millions of idle men walking the streets, seeking employment. It is under a Republican administration, too. If this tariff bill is so good and so sure to bring prosperity, why is it that the gentleman and his Republican colleagues have to rise every day on the floor and defend it? If it is such a powerfully good prosperity producer, how is it that the gentleman and his colleagues on his side have to continue to promise and predict what the bill will do? [Applause.]

Where is the prosperity that has been promised the country? When will the sunshine of prosperity break upon the country? The country is still waiting for it. The country is full of moonshine, but there is very little "prosperity sunshine." We find this alleged dry administration indorsing the wet Mr. Morrow for the Senate. [Laughter.]

Mr. CROWTHER. The gentleman from Georgia knows whereof he speaks, for he comes from a section of the country where "moonshine" is a native product. [Laughter.]



Mr. EDWARDS. Yes; and the gentleman from New York comes from a section of the country where they consume that "moonshine," too. [Laughter.]

It happened, in this day of grace, when we were told prior to the 1928 election, "Elect a Republican administration and prosperity will smile upon the country." The people thought they were going to pull a big fish out of the lake when they put the present administration in. What has happened? Everybody knows. Bank failures throughout the country, all over the country; it is not limited to any one section. There is financial depression, industrial depression, agriculture gone all to pieces, and the country right on the verge of financial ruin. When and where will this prosperity come? Let these gentlemen on the Republican side of the House, who have prophesied prosperity, turn in and give the country some of this promised prosperity they have been talking so much about, and let us not have so much prophesying. [Applause.]

#### THE BANKING SYSTEM

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a delivered speech which I made, for which I formerly obtained permission, but which was not presented within the specified time.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

(Speech of Hon. HENRY B. STEAGALL, of Alabama, in the House of Representatives, Wednesday, March 5, 1930)

Mr. STEAGALL. Mr. Speaker, ladies and gentlemen of the House, I think it will be agreed by the Members of the House, as well as by every citizen of the country who is informed, that we face an acute situation in our banking system. It is a most unfortunate situation and affects the economic life of the country to an extent that has aroused the deep concern of every student of public affairs. The number of bank failures in recent years has become alarming. These failures have caused great distress and demoralization throughout the agricultural regions of the country. Undoubtedly there are various contributing causes. The bill now under consideration can not cure these difficulties, though instances could probably be found where malicious and false imputations of insolvency have contributed to the destruction of public confidence without which a banking institution can not succeed.

The bill seeks to punish any person who falsely and maliciously imputes insolvency to any national bank tending to cause a general withdrawal of deposits. The gentleman from Iowa [Mr. RAMSEYER] has pointed out defects in section 1 of the bill in which I concur and I think amendments should be adopted in accordance with his suggestion that to complete the offense an actual withdrawal of deposits should be caused by false and malicious reports. And I agree with the gentleman from Illinois [Mr. CHINDELOM] that section 2 of the bill is useless and should be stricken out.

Mr. RAMSEYER. The gentleman has addressed himself to me. I think the amendment would make a better bill. However, my objection to the bill is that offenses of this kind should be taken care of by the State.

Mr. STEAGALL. Well, after all, the bill only seeks to punish a person who maliciously slanders a public-service institution and by that act brings a bank failure upon a community with all its unfortunate consequences. The meanest, vilest, filthiest creature that crawls on this earth is the slanderer. I do not care whether it is an individual or a competitor in business who resorts to it. It is villainous and cowardly. Many honorable men in public life have encountered this slimy creature. The law gives the citizen the right to slay his adversary in order to protect himself against great bodily harm. It clothes the citizen with the right to take human life to keep a man from stealing his horse. If I had my way, I would have the law clothe every citizen with the right to deal in his own fashion with the man who attempts maliciously to rob him of his good name which is dearer than property and dearer than life itself. But I confess I do not see how very much can be accomplished by this legislation toward curing the situation which exists in our banking system at this time.

Mr. ARNOLD. Will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. ARNOLD. Is it not within the power of a State legislature to cover the general scope of the legislation proposed in this bill equally as to State and National banks?

Mr. STEAGALL. Yes; I think such legislation is clearly within the power of a State legislature both as to State and to National banks.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. BRAND of Georgia. I will ask the gentleman if under any existing State law you could punish a man living in Georgia if he should write a citizen in Alabama and say, "Look out; your bank is about to fail"?

Mr. STEAGALL. No; you could not. But I am sure Members of the House understand that this bill, whether its enactment be regarded as wise or unwise, can not remedy the conditions that confront us in connection with our banking system as it affects the welfare of people in small towns and cities in the United States. If something is not done about it, we shall soon face the complete breaking down of our independent banking system as it has existed for three-quarters of a century.

We have had 5,795 bank failures since 1921. Of this number, 785 were national banks. There were 642 failures last year. They are continuing at the rate of about 100 a month. In connection with the failures of so many banks in small communities and in agricultural sections, I call attention to the fact that during the 5-year period ending December 31, 1929, 25 banks in New York City paid dividends amounting to 71 per cent and set aside a surplus fund amounting to \$139,000,000 for the single year 1929. During the same 5-year period, 24 trust companies paid dividends of 60 per cent and ran up their surplus approximately \$600,000,000.

There are various causes for all these bank failures. The Banking and Currency Committee of the House is now investigating some phases of this matter in the hope that we may be able to offer legislation that will help, if it does not cure, this situation. Many of these failures have been hastened, to say the least, by discrimination and practices affecting banks in small communities that have taken away a large portion of their earnings and undermined the successful operation of these banks. Let me call your attention to some of them. The Federal reserve system has succeeded in putting into effect a rule taking away from member banks the right to charge for the collection and remittance of checks. This was first undertaken by regulations and later a law was passed giving authority to enforce these regulations. Small banks at one time realized considerable sums for this service. In some instances enough was collected to defray overhead expenses. No doubt there were instances where these charges were too high. But I have never believed that small banks should have been required to render this service to large city banks and wholesale houses for nothing. I opposed the legislation when it was passed and the plain truth is this House was misled into ratifying the conference report embodying this provision which violated the specific instructions of the House. I introduced a bill soon after this occurred, on March 6, 1922, and have reintroduced the measure from time to time undoing this wrong and restoring the right to impose reasonable charges for this service. But too many powerful influences have been exerted to prevent a favorable report on this bill.

Banks that are members of the Federal reserve system are not given credit for checks when they are received at the Federal reserve bank as had been the custom with correspondent banks. This, too, is a practice which has hampered small banks in conducting their operations—especially at seasons when it is difficult to finance the marketing of crops. I will say in this connection that I have introduced measures from time to time requiring Federal reserve banks to give immediate credit for checks received from member banks. Certainly this should be done, even if Federal reserve banks should charge interest at the current rate covering the period of collection.

The Federal reserve act requires national banks to become members of the Federal reserve system. National banks were not permitted to decide for themselves whether or not they would join the Federal reserve system. They had to join or surrender their charters. The law requires them to subscribe to the capital of Federal reserve banks in amounts equal to 6 per cent of the capital stock of member banks. They were also required to maintain balances in Federal reserve banks equal to 7 per cent of their demand deposits and 3 per cent of their time deposits, upon which no interest is received. Formerly, banks were allowed to keep their reserves in Federal reserve cities. Many banks carried from \$75,000 to \$100,000 of reserves upon which they were able to receive an average of about 2½ per cent interest on daily balances with correspondent banks where their reserves were held.

Federal reserve banks pay no interest upon these balances and this effected a loss of substantial revenue of member banks. The only returns received by member banks from Federal reserve banks is 6 per cent dividends on the capital stock held by them in Federal reserve banks. When member banks borrow from Federal reserve banks they do so practically at the same rate of interest that is charged by correspondent banks in reserve cities. So no compensating benefit is derived from the right to rediscount.



The Federal reserve banks have made a net profit up to January, 1930, amounting to \$515,215,983. They have accumulated a surplus of \$276,936,000 and have paid into the Treasury as a franchise tax \$147,109,573. In addition, Federal reserve banks have absorbed the initial cost incident to the inauguration of the system, including the expenditures incident to the vast and extravagant building program which has been consummated. These enormous profits have been made almost entirely out of member banks. It comes through the stock and balances carried by them, while the only returns to member banks is the arbitrary rate of 6 per cent on their stock; meantime the other funds maintained in Federal reserve banks are required to be kept there without any returns whatsoever. These policies and processes are strangling and crushing the small independent banks of the country. We are going to continue to have bank failures in small communities until we find a remedy for the practices which I have pointed out.

I introduced on December 20, 1923, a bill, and have reintroduced the same measure from time to time, providing that the profits of Federal reserve banks that are left after paying all expenses and dividends required shall be returned to member banks to the extent that such profits accrue through the operations of Federal reserve banks with member banks—and practically all their profits are earned in this way. I am glad to say that the Committee on Banking and Currency has reported this bill and it is now before the House. I can not believe the House will fail to pass this legislation when it is up for consideration. It is simple justice to return to member banks the profits made through operations with them. The Government is not entitled to these profits. Federal reserve banks, in handling the fiscal operations of the Government, pay much more to the Government than the annual value of their franchise. So it is no injustice to the Government not to turn over to the Treasury the earnings that accrue through operations with member banks. Such a rule constitutes a harsh and unjustifiable tax on banks that are members of the Federal reserve system, many of which are struggling for existence.

It has been suggested that the plan proposed in this bill would make Federal reserve banks money-making institutions. The answer to that is, there is no more inducement for them to make money to pay out to their member banks than there is when they pay it into the United States Treasury. They part with the money in either event. The question is, To whom does it belong? Every dictate of fair dealing and common honesty suggests that these profits should go to the banks to which in all justice and good conscience they belong.

In this connection, let me say that I am one of those who believe that the earnings of the Federal Reserve System should be devoted in part to the protection of depositors in member banks that become insolvent. I have introduced a measure of this kind from time to time during the past 10 years. Such a provision was incorporated in the original Federal reserve act as it passed the Senate, but it was stricken out in conference. It was offered in the Senate by no less an authority than the former able and conservative Senator, Hon. John Sharp Williams, of Mississippi. The figures show that the Federal reserve banks have made net profits sufficient to pay half a dozen times all the losses that have been sustained by depositors in national banks and member banks of the Federal Reserve System since the adoption of the national banking act. The total of these losses down to 1930 amount to about \$80,000,000, while the profits of the Federal Reserve System amount to \$515,215,983. The Federal reserve banks have more than once made enough net profit in a single year to cover all the losses sustained by depositors in national banks from the foundation of the national-banking system down to 1925. These profits have been made out of the capital and balances maintained by member banks and it is well known that the greater portion of the earnings of member banks comes through their deposits. Depositors have been forced to lose their money in cases where banks become insolvent in part because of the diversion of the earnings of Federal reserve banks. I believe that a citizen who deposits his money in a bank that is a member of the Federal reserve system should be able to count his deposit slip as good as a Government bond. [Applause.]

I know that guaranty plans have not worked successfully at all times where State banks constitute the unit, but the fact that small banks in one State are not able to make a success of the plan is no proof that the Federal reserve system, covering the Nation, with its vast resources and profits of more than half a billion dollars, is not able to guarantee the deposits of member banks. When a citizen goes to seek a place of safety for the deposit of his earnings, and sees a building bearing a sign, "national bank"; "member of the Federal reserve system"; "United States depository"; "supervised by the Federal Government," he should be able to rely upon these signs as a guaranty that his money when left there will be safeguarded and

his deposits made good. These signs and the Nation's flag flying above that building should be a sufficient assurance that, in event of insolvency, he will get back his share of the earnings of the Federal reserve system that has been made out of his money left on deposit. [Applause.]

I recognize that there are too many strong influences opposed to this legislation to justify the hope that it can be passed now. But surely there can be no valid argument against the proposition to deal justly with member banks in the distribution of earnings of the Federal reserve system that accrue through use of funds belonging to them. If we are not willing to use these earnings for the protection of depositors in insolvent banks, certainly they should be used to prevent member banks from becoming insolvent. The number of bank failures is a national calamity. It should not be allowed to continue.

Something must be done if we are to preserve our historic banking system, with its service and credit facilities for all sections and all communities of our country. The plans I have outlined would save many of the small banks that are needed in the communities served by them and needed to support the Federal reserve system. In addition, membership in the Federal reserve system would be made attractive, and its service greatly enlarged.

The only remedy that is being proposed by many who speak with a commanding voice is that we shall turn from our independent banking system to the system of group, chain, or branch banking. Some of the advocates of the new view of this matter boldly state that no city of less than 10,000 population should have an independent. Such a statement is shocking to any citizen who is informed and whose heart is devoted to the masses of the people. There are 3,547 branch banks now in operation throughout the country. There are in operation in chain or group systems 1,858 banks with resources of \$13,275,390,000. This represents about one-fifth of the banking resources of the country. In plain English this means that we are fast drifting into monopoly banking. If the trend continues as at present it will not be long before we shall witness practically a complete monopoly of banking resources. Banking monopoly is the most destructive of all forms of monopoly. It is repugnant to the entire philosophy of the Federal reserve system and will ultimately destroy the system. The Federal reserve system rests entirely upon the membership of independent banks. The controlling purpose underlying the passage of the Federal reserve act was to break the control of credit which was centralized in a few centers.

The control of credit means control of business, nearly all of which rests upon credit. It means the control of public opinion. Public opinion controls politics and the control of politics carries the control of official power.

Monopoly control of banking means absentee control. It takes from local communities combined interest, local pride, and community spirit. It standardizes the extension of credit on a basis of red tape and routine regulation to be passed upon in some distant office with practically no thought of the character of individuals concerned in securing credit. Those who have observed the drift of good citizenship from the farm to industrial centers, leaving farms under the control of absentee landlords, can appreciate the meaning of absentee bank control. It is a part of the trend toward mergers, consolidations, and combinations, and chain control of business. It is part of the general drift toward centralization of the Nation's wealth.

Any system which permits or makes possible the centralization of banking power in the hands of a few, giving to them a free hand in restricting, inflating, or deflating the Nation's supply of currency and credit, is a serious menace to the prosperity and happiness of the American people. It was this very danger that the Federal Reserve System was intended to prevent. Prior to the passage of that act a stubborn fight had been made during a Republican administration, under the leadership of Senator Aldrich, of Rhode Island, to establish a central bank fashioned more or less after the Bank of England. The plans were defeated after prolonged and widespread discussion. A Democratic administration determined that the people should not be divested of the management of their local affairs to have them placed in the hands of a centralized body. Instead, the Federal Reserve Act was passed, decentralizing and spreading into 12 geographical districts the control of our currency and credit, with provisions to make the supply elastic and responsive to the demands of business. If the system is to be preserved it is time for the country to understand what is going on and no longer delay demand for action to terminate the present trend toward the old order of banking monopoly.

We can not trust the vast power of control of the Nation's supply of credit and currency in the hands of a few and leave them to decide what portion of prosperity the public shall be permitted to share. History teaches that those who desire such



power will use it to promote their own selfish interests and to the detriment of the masses of mankind. This is the most vital and far-reaching question that confronts the country to-day. The question is whether our banking system shall be maintained in accordance with the spirit of our democratic institutions for the benefit of all the people or turned over completely to the control of those desirous of promoting their own selfish interests. The duty rests upon us as representatives of the American people to take their side of this momentous question and to pass whatever legislation is necessary for their protection. [Applause.]

FRANK M. GROVER

The SPEAKER. This is Private Calendar day. The Clerk will read the first bill in order on the Private Calendar.

The first business in order on the Private Calendar (No. 620) was the bill (H. R. 10532) for the relief of Frank M. Grover.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$300 to Frank M. Grover as reimbursement for damage to automobile and for personal injury resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, Calif., on March 27, 1929.

Mr. ARENTZ. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Nevada offers an amendment.

Mr. ARENTZ. On line 6, after the word "Grover," insert "in full settlement of all claims and."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Nevada.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: Line 6, after the word "Grover," insert the words "in full settlement of all claims and."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote was laid on the table.

#### NATIONAL SAFETY CONTEST

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the question of national safety.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks on the question of national safety. Is there objection?

There was no objection.

Mr. HUDSON. Mr. Speaker, I am asking consent for extension of remarks in order that I may place in my remarks the essay won in a contest by Mr. Thomas Livingston, a pupil of the Fordson High School, Dearborn, Mich.

For the last two years the Michigan Mutual Liability Co., of Detroit, Mich., under the Hon. B. Frank Emery, director of public relations, has been engaged in an extensive safety campaign throughout the State, and has held many essay contests in the cities of my district. It has been a most helpful work in attracting the attention of the public to safety programs.

Contests were held in the high schools of Howell, Mich., and the high schools of Dearborn, Mich. Thirty-six of these essay contests were held throughout the State. These contests are approved by the State board of education, and under the direction of the superintendent of public instruction. That they have been beneficial is evidenced by the requests from other cities that such contests may be held within their schools.

Within the last generation there has come into every-day use two common expressions—"traffic regulation" and "traffic control." The safety city placed before the schools by the Michigan Mutual Liability Co. and mechanically operated visualizes how traffic can be controlled if it will be controlled. Graphically there is portrayed the results of 18 common, every-day accidents, from which the student gets his inspiration for suggestions of betterment of traffic conditions locally. When local traffic conditions are stabilized, therein is formed public opinion which in a majority of cases is the basis of our laws.

Prizes have been awarded in connection with these essay contests in the schools, the 10 highest each receiving one of the de luxe Lindbergh medals and the name of the winner is engraved upon a bronze plaque of Roosevelt, which plaque is placed on the walls of the school.

This whole campaign, which means so much to the people of the State, and indirectly the whole Nation, is financed through the Michigan Mutual Liability Co. as a personal contribution of Mr. W. A. Fitzsimmons, president of the company, in the interest of his native State.

The winning essay is as follows:

#### THE LEFT-HAND TURN

In most of our principal cities there have been questions more or less on how to solve the left-hand turn. As it is to-day, one must pull into the center of the street, clear of the street-car lines, wait until the light changes, and then make the turn. In this way one blocks a line of traffic. Now, to solve this I suggest:

In the down-town district mark off every third corner on the main thoroughfare. On this corner move the protected safety zone to the farther side of the cross street. Then the motorist wishing to make a left-hand turn can pull up on the car tracks and wait until the light changes. Then have this light 60 seconds long so as to permit all the motorists in the left-hand turn line to get across. Also, the motorists waiting on the opposite side can get across. This is for one line of traffic alone, say, the one going east. Then the line of traffic going west will repeat the above operations, only at the next corner, thus allowing only one street within three that does not have a left-hand turn either way.

At the streets where there are left-hand turns, do not allow any right-hand turns. Allow these right-hand turns at the street where there is no left-hand turn.

The lights: In the first three blocks have the lights all the same, say, green, at the same period of time. Have the lights in the next three blocks red. Then the motorists on the cross streets wishing to make the left-hand turn can do so.

The above is possible if two conditions, both essential, are filled. These are, if the car stop is placed on the far corner and if the street car is prohibited from making a left-hand turn on a red light, as they can now do in our city.

If at certain hours of the day, for example, between 4 and 5 p. m., when traffic is congested, do not allow a left-hand turn but make the street-car safety zone protected and allow motorists to pass this zone when passengers are boarding or leaving the car. This would improve the rate of speed for the motorists.

The SPEAKER. The Clerk will report the next bill.

H. E. MILLS

The next business on the Private Calendar was the bill (H. R. 7063) for the relief of H. E. Mills.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to H. E. Mills, Springdale, Wash., out of any money in the Treasury not otherwise appropriated, the sum of \$804, representing the amount disallowed by the Comptroller General in certificate of settlement numbered 0136739-I, to cover liquidated damages for delay in performance of the contract of such H. E. Mills with the Department of the Interior for construction of two frame cottages for the Colville Indian Agency.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

IRIA T. PECK

The next business on the Private Calendar was the bill (H. R. 10983) for the relief of Iria T. Peck.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to inquire of the gentlewoman from California with reference to this matter. As I understand, this bill is to correct the record of a boy who served in the Army since 1924.

Mrs. KAHN. Yes. I think that is the date.

Mr. BACHMANN. The committee that has charge of these bills has decided not to agree to correct any of these records after the Spanish-American War unless it is a very unusual case.

Mrs. KAHN. This is a very unusual case.

Mr. BACHMANN. This boy did not enlist until 1924. His first trouble was that he was confined to the hospital for drinking bay rum which contained alcohol, and he was confined in the hospital for over one month.

Mrs. KAHN. Yes.

Mr. BACHMANN. The second time he was confined to the hospital for one week with influenza, and the third time he was confined to the hospital for again drinking bay rum.

Mrs. KAHN. I did not know anything about that time.



Mr. BACHMANN. The question is whether or not the drinking of the bay rum affected his eyesight or whether the influenza affected his eyesight. Unless this is an unusual case, or unless the gentlewoman from California can explain to the committee that it is an unusual case which will bring it within the category of cases I have explained, I would be disposed to object.

Mrs. KAHN. I did not know anything about the third time he was in the hospital. The boy was stricken with blindness after drinking bay rum the first time. The blindness was only temporary, and then he recovered sufficiently to go out on the target range and to make almost a perfect record, so that his eyesight must have come back. Then he was stricken with influenza and given a terrific overdose of quinine, which evidently affected his eyesight, so that the boy after that became permanently blind and was discharged from the Army.

His case was brought to my attention by the Veterans' Association in San Francisco, and I took it up and had him treated by the very best oculists in the city of San Francisco, Doctors Green. They very kindly gave their services to this boy. The boy is permanently blind. The Doctors Green gave him back enough sight so that he can distinguish between light and darkness, and in that way can find his way around town. They maintain that the second occurrence of blindness came from the overdose of quinine. Of course, his eyes may have been weakened by the bay rum, but they feel he had recovered his eyesight practically when he was able to make this almost perfect score at the target range. The boy has absolutely nothing except what he can earn doing blindcraft work.

Mr. BACHMANN. Is the gentlewoman from California acquainted with this soldier?

Mrs. KAHN. I am. He has been to my office a number of times. I am not only acquainted with him but I have induced a number of my friends in San Francisco to look after the boy.

Mr. BACHMANN. The lady feels this is an unusual case?

Mrs. KAHN. I feel it is a most unusual case and a most deserving case. He is a fine upstanding lad about 23. He enlisted when he was only 17. It was perfectly pitiful to see him come in with his cane, trying to find his way around the room. It is one of the most pitiable cases that has ever come to my knowledge.

Mr. BACHMANN. I simply want to call this to the attention of the House, and with the assurance of the lady from California I will not object.

Mrs. KAHN. I would not make this plea for the boy if I did not feel in my heart that he was absolutely deserving, and that this is a most unusual case. It is one of the saddest cases that has ever come to my knowledge.

Mr. BACHMANN. I shall not object.

Mrs. KAHN. I certainly appreciate the kindness of the gentleman from West Virginia.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Irla T. Peck, who was a member of Company E, Twenty-seventh Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 6th day of June, 1927: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### UNION SHIPPING & TRADING CO. (LTD.)

The next business on the Private Calendar was the bill (S. 193) for the relief of the Union Shipping & Trading Co. (Ltd.).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, I understand this bill simply permits the Union Shipping & Trading Co. (Ltd.) to bring suit in the District Court of the United States for the Southern District of New York, sitting as an admiralty court on this claim against the United States for damages. I notice a bond is required to be furnished in the sum of \$85,000. I am wondering if somebody can give us some information about that matter?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice in view of the fact that the bill does not limit the amount of damages to libels in rem, but also to libels in personam, and the report of the Secretary of War casts some doubt on the proposition as to whether

the Government would not be obliged to pay speculative damages. I ask to have the bill passed over.

The SPEAKER. The gentleman realizes that in the consideration of the Private Calendar a request to have a bill passed over is equivalent to an objection.

Mr. STAFFORD. It is tantamount to an objection, although it serves the purpose that the mind of the mover is not firmly opposed to the bill and wishes to leave the matter open for further consideration.

The SPEAKER. The bill would remain on the calendar in its present place.

Mr. STAFFORD. Yes.

The SPEAKER. The gentleman from Wisconsin objects. The Clerk will report the next bill.

#### RELIEF OF MEMBERS OF THE CREW OF THE TRANSPORT "ANTILLES"

The next business on the Private Calendar was the bill (S. 1963) for the relief of members of the crew of the transport *Antilles*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to examine and settle the claims of the crew of the transport *Antilles*, which was sunk in October, 1917, on the high seas by an enemy torpedo, for the value of private property lost by the sinking of said vessel, and to allow reimbursement of the value of said private property not exceeding the sum of \$100 in any one case, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, sufficient sums, not exceeding in the aggregate \$3,000, for the payment of such of these claims as may be allowed by the Comptroller General of the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### RELIEF OF THE CITY OF NEW YORK

The next business on the Private Calendar was the bill (S. 2219) for the relief of the city of New York.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM. Mr. Speaker, I object.

#### CULLEN D. O'BRYAN AND LETTIE A. O'BRYAN

The next business on the Private Calendar was the bill (S. 304) for the relief of Cullen D. O'Bryan and Lettie A. O'Bryan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have a notation that in this case there is some doubt as to whether the daughter of the claimants really died as the result of any injuries received by reason of having been struck by this Army truck; that the girl's death might have been aggravated by a shock, but that she had tuberculosis prior to the shock. We are being rather liberal when we pay \$5,000 for the death of a person who had tuberculosis and whose death was merely accentuated by a little shock.

Mr. IRWIN. Will the gentleman yield?

Mr. STAFFORD. I will be very glad to yield to the authority in this House on physical disorders.

Mr. IRWIN. The War Department made a thorough investigation of this case, and as a result of that investigation and in view of the medical testimony have come to the conclusion that this girl died as a result of this injury. She may have been delicate, but she was performing her duty every day; she was going to and from her work every day, and while doing that she was run down by this Army truck, the truck having been operated in a negligent manner. She and two other girls were injured while going to work on that particular evening. She was injured so badly that she was put to bed, never recovered from the injury, but died shortly afterwards from the effect of the injury. Whether a tubercular condition existed is not clear, but it is very clear that she had never missed a day's work but had been doing her work properly; that there was no complaint about her ability to do her work; and that up to the time of the injury she was considered in good health, but after the injury she was not able to perform her regular work. So the War Department feels there is a liability on the part of the Government and that her parents should be compensated for her death.



Mr. O'CONNELL. If the gentleman will permit, that was the decision of a board of inquiry which considered this case?

Mr. IRWIN. Yes.

Mr. O'CONNELL. And that her death was the fault of the Government?

Mr. IRWIN. Yes.

Mr. STAFFORD. While the gentleman was elucidating the facts in this case I was glancing through the report—at the same time paying attention to the gentleman's statement—of the Acting Secretary of War, and I find the report confirms what the distinguished chairman of the committee stated.

Mr. IRWIN. The gentleman does not think I would make any statement that was contrary to the facts?

Mr. STAFFORD. Not at all. I am simply paying that compliment to the writer of the report, and the report confirms the statement made by the distinguished authority on medicine.

Mr. IRWIN. I thank the gentleman.

Mr. STAFFORD. The gentleman's statement being reinforced by the report of the War Department naturally there is no chance for interposing an objection.

Mr. PATTERSON. Mr. Speaker, reserving the right to object, which I do not intend to do, since the gentleman from Illinois recommends the bill, I want to ask this question of the gentleman: What is done with the men who are responsible for these injuries? Of course, the Secretary of War can not go out and see about these trucks, and things of that kind, but what do they do with the men who are responsible for the injuries which bring about these claims?

Mr. IRWIN. That matter has been discussed thoroughly in our committee and on the floor of the House. I do not believe this is the proper time to discuss the matter, because we are in a hurry, but I do believe some action should be taken which would result in having these truck drivers be a little more careful in the discharge of their duties.

Mr. PATTERSON. I thank the gentleman.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cullen D. O'Bryan and Lettie A. O'Bryan, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement against the Government, on account of the death of their daughter, Amy Edith O'Bryan, who died as a result of injuries received when the automobile which she was driving collided with an unlighted Army truck on September 16, 1927, near Bristol, Vt.: *Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### EDWARD C. DUNLAP

The next business on the Private Calendar was the bill (S. 328) for the relief of Edward C. Dunlap.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, reserving the right to object, I want to ask the chairman of the committee what the policy of the committee is about making the employees' compensation act retroactive. In this particular case they are asking that the act be made retroactive for seven years in order to take care of this claimant. Has the committee any particular rule about this, and how far does the committee go back in these cases?

Mr. IRWIN. I will say to the gentleman the committee has no particular policy as far as time is concerned. We consider the individual merits of each case, and our decision is governed by the circumstances in each particular case. While this goes back quite a considerable length of time, yet I think if the gentleman will go thoroughly into the history of the case he will find it is perfectly justified.

Mr. GREENWOOD. I have no particular objection to this case. I think it has merit, but I notice you go back seven years. The act was passed in 1916, while this injury occurred in 1907. I think this is perhaps the most remote case I have observed.

Mr. IRWIN. I think the gentleman is right, but the committee felt there were some extraordinary circumstances connected with this case. When a man who is absolutely needed in a tunnel is taken out of a hospital in order to go there to help save the lives of other people and then is overcome himself, falls on a railroad track and his leg is taken off by a railroad car, we felt that under such a state of facts we were perfectly justified in going back seven years. I want to say further there is not any particular policy laid down by the committee. Each case is discussed and decided on its merits.

Mr. GREENWOOD. What is the reason for making a case like this a compensation case instead of a straight-out appropriation to cover damages?

Mr. IRWIN. The committee has had that question up many times, and has discussed it pretty thoroughly. We feel in some instances it is better to have a monthly payment, which is always paid by the Compensation Commission. In other cases the circumstances may be such that a lump sum is better for the Government and better for the claimant. This is always taken into consideration, and the merits of a particular case are decided by the committee.

Mr. GREENWOOD. This is to pay compensation at the rate of his regular wages for one year under the compensation act?

Mr. IRWIN. Yes. We felt this case was meritorious, and that is the reason we provided that.

Mr. STAFFORD. Will the gentleman yield?

Mr. IRWIN. Yes.

Mr. STAFFORD. I take it that the policy of the committee is to extend to these claimants who have suffered injury prior to the passage of the compensation law the benefits of that law not from the date of the injury but from the date of the enactment of this bill.

Mr. IRWIN. Yes.

Mr. STAFFORD. Would the gentleman have any objection to making clear the policy of the committee by adopting an amendment carrying out that intention by inserting after the word "amended" in line 11 the words "from and after the enactment hereof"?

Mr. IRWIN. I have no objection to that.

Mr. STAFFORD. Then there will be no question whatever that the benefits of this bill accrue from the time of the enactment of the bill.

Mr. IRWIN. There is no objection to that.

Mr. STAFFORD. With that understanding, Mr. Speaker, I have no objection to the bill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Edward C. Dunlap, on account of injuries sustained on January 25, 1909, while employed by the Reclamation Service in the construction of the Gunnison Tunnel, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, without regard to the time of the filing of his claim for such benefits.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, line 11, after the word "amended," insert "from and after the enactment hereof."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Line 11, after the word "amended," insert the words "from and after the enactment hereof."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### ADDRESS OF HON. VICTOR CHRISTGAU

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an address delivered by my colleague the gentleman from Minnesota [Mr. CHRISTGAU].

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KVALE. Mr. Speaker, under leave to extend my remarks I submit herewith a copy of a speech delivered by my friend and colleague [Mr. CHRISTGAU] at the annual picnic of the Yellow Medicine County Farm Bureau in my district on June 10, 1930:



## FARM LEGISLATION AND EUROPEAN AGRICULTURE

I am glad of this opportunity to discuss with you some of the problems affecting the agricultural industry. In your local farm bureau units and at times when you have an opportunity to get together as a county organization you frequently discuss matters of local interest pertaining to your community and to your individual farm enterprises. Your county agent on many occasions meets with you and brings to you valuable information of assistance in making work on your farms easier and more profitable. I judge that it is not always possible for you to discuss matters of legislation, both State and National. I am going to devote myself to that topic this afternoon.

It is my belief that the farmers of the country have not paid sufficient attention to the bearing that public policy has upon their economic welfare. It was my privilege during the last session of the Minnesota Legislature to serve as chairman of the senate committee on agriculture. During that service I was impressed with the numerous matters of State legislation affecting agriculture. At the conclusion of the session of the legislature I was sworn in as a Member of Congress and attended the special farm-relief session called by the President for the purpose of improving agricultural conditions nationally. As a result of the experience I gained in those legislative bodies, I am thoroughly convinced that the farmers generally do not realize how much their prosperity is affected by laws that are enacted by Congress and by the State legislatures.

## POWER OF ORGANIZATION

It is not an easy task to enact laws beneficial to agriculture, because frequently such legislation comes in conflict with the wishes and desires of other groups. It is here that the value of organized effort is clearly demonstrated. I am glad that many of the farmers of Minnesota realize the importance of organization, and I am especially pleased over the fact that the leaders of their organizations have from time to time taken aggressive action in behalf of legislation that they consider of importance to the agricultural industry. The power of organization was recently demonstrated in the Senate of the United States. A man was nominated for a position of Justice of the Supreme Court. Organized labor protested against his confirmation upon the ground that at one time this nominee rendered a decision which organized labor felt was unfair. And, because they felt this decision reflected an attitude of mind unfavorable to labor, they concentrated their organized forces against the confirmation of this man.

The word was flashed to labor organizations in every section of the country that the Senate of the United States was about to act upon a matter of vital importance to organized labor, and the response was such that the action of the Senate was in harmony with the wishes of organized labor and Judge John J. Parker failed to become a member of the Supreme Court of the United States.

The power of organization was also demonstrated during the struggle to enact the McNary-Haugen farm relief bill into law. That legislation, which was designed to give the farmer the benefits of a protective tariff, had very little support at its beginning, but as one agricultural organization after another took up the fight, the measure finally passed both Houses of Congress by large majorities and met defeat only by Executive veto.

## DECLINE OF RURAL REPRESENTATION

Additional legislation, both State and national, will have to be enacted before agriculture can consider itself on a parity with industry. I hope that all the potential power of the numerous farm organizations of the country will be brought into force during the next three years so that national legislation may be enacted to improve the situation in rural America. Sufficient census returns have been made public to show a marked decline in rural population. The Congress of the United States and many of the State legislatures will be reapportioned upon the basis of the new census. The next Congress will be elected upon the basis of the old apportionment, and agriculture will retain its relative legislative strength nationally for one more Congress. It is generally estimated that the new apportionment will result in a loss of from 20 to 40 Congressmen from the rural States, and that the large industrial States will gain what agriculture loses.

## SUPPLEMENTAL LEGISLATION NEEDED

Almost everyone admits that there is some conflict between agriculture and industry on matters of public policy, and it is also generally known that during this long period of agricultural depression industry has been relatively prosperous. Industry's share of the national income has constantly increased, while that of agriculture has been on the decline. That condition resulted in the precipitation of the problem into the 1928 political campaign, and out of that campaign came the demand for a special session of Congress to provide relief to the distressed agricultural industry. Organized agriculture should now concentrate all its forces to supplement legislation that has already been enacted, and also enact new legislation for agriculture that will be of permanent benefit to the industry, and which will definitely give agriculture parity with industry. There is no legislation on the statute books at the present time which will make that possible. I am confident that if the same energy and the same determination and the same

organized effort is made during the next three years that was made in behalf of the McNary-Haugen bill, agriculture can obtain the legislative consideration that it needs and desires even though certain industrialists vigorously oppose such action.

During the special farm relief session, Congress passed the agricultural marketing act, the main feature of which was the establishment of a Federal Farm Board. I held at the time the legislation was first proposed that it would not solve the problem that made farm relief a political question. It was the effort to give the surplus-producing farmers some of the benefits of a protective-tariff system that made farm relief a major topic in the 1928 campaign.

## THE SURPLUS PROBLEM

The agricultural marketing act, as it now stands, does not offer a solution for that feature of the farm problem. At the time the agricultural marketing act was under consideration I voted to give the Federal Farm Board the power to invoke the debenture, which I felt at that time was an instrument through which the surplus producing farmers would be given some of the benefits of a protective tariff system. The debenture was placed in the farm relief bill following a hearing before the Senate Committee on Agriculture, at which some of the leading agricultural economists of the Nation testified that it would work. The debenture, however, was not placed in the marketing act. I am confident that had it been, the wheat farmers of the Northwest would not have had the great difficulties that beset them during the past year, nor would the price of dairy products have suffered the great slump during the past few months. I again supported the debenture in the tariff bill now under consideration, as I am convinced of its value in meeting the problem of surplus-crop producers.

It is my opinion that on some surplus crops the equalization fee, embodied in the McNary-Haugen bill, will work best. On the other crops, the debenture will bring the best results, and I am strongly in favor of giving the Federal Farm Board sufficient authority to use these proposed measures to determine once and for all whether or not they can be of benefit to the farmers. It is on this problem of making the tariff effective on surplus crops that the organized farmers of the Nation must once more concentrate their efforts.

## THE FARMERS' BARGAINING POWER

There are two possible courses of procedure to follow in securing parity for agriculture—either we must give the surplus-producing farmers tariff benefits by some means, such as the equalization fee or the debenture, or we must take from industry some of the tariff protection that it now enjoys. And the sooner we get started on one policy or the other, the better it will be for the country as a whole.

The agricultural marketing act is good as far as it goes. It offers additional opportunity for the development of cooperative marketing. It provides an opportunity to give the farmers greater equality of bargaining power. At the present time the buyers of farm products are thoroughly organized, and thus find it possible to hold down prices to the farmers. To overcome that organized buying power the farmers must obtain organized selling power. They must gain control of a sufficient amount of their commodities to be able to demand higher prices. The power of collective bargaining has its influence not only on domestic prices in this country but also on foreign prices on surplus crops. As long as the Federal Farm Board is made up of men determined to carry out policies favorable to agriculture it will be a valuable instrument of the Government to the farmers.

I believe that the agricultural marketing act is basic to a well-balanced farm-relief program. Our task is to supplement agricultural-marketing legislation with laws that will solve the problem of surplus farm production, because the surplus-producing farmers are in the vast majority in this country. Any legislation that leaves them out of the picture can not be held to solve the farm problem.

## FARM ORGANIZATIONS OPPOSE BILL

Following the enactment of the agricultural marketing act Congress launched out on a policy of tariff revision. The excuse for entering on a program of tariff revision was to give additional protection to agriculture on those commodities on which the tariff is effective, and also to be of assistance to a few other depressed industries. Instead of confining itself largely to agricultural tariff revision Congress launched out on a general tariff-revision program, and both Houses have passed a tariff law, which, instead of bringing help to agriculture, in my opinion, will cause it still greater distress.

The Minnesota Farm Bureau Federation and the leading cooperative organizations of the State have expressed themselves as opposed to the tariff bill. An effort is being made to term the measure an agricultural bill and thus place the responsibility of resulting evils upon the already overburdened farmers' shoulders. Organized agriculture in Minnesota is absolutely on solid ground when it throws all of its influence against the measure. Standing alone, some of the increases to agriculture in the bill would be helpful, but the price that the farmers are paying for those increases is altogether too great. It must not be forgotten that practically all of the commodities that the farmers of Minnesota produce are highly competitive commodities, and are constantly subjected to the price-depressing influence of keen competition. On the other hand, many of the commodities which the farmers buy are the products



of industry, which is growing more and more monopolistic in its nature and is able to feed the market in a manner that makes possible the controlling of prices to a large extent.

#### INJUSTICE TO MANY FARMERS

The rapid growth of mergers and combinations makes the increases on commodities that the farmers have to buy much more serious than had those same increases been granted years ago. Thus, the tariff bill, which was supposed to be an agricultural measure, grants numerous increases to products of industry, which the farmers buy, and on products upon which the tariff is most effective in its price-raising influence. On the other hand, those increases granted to agriculture in many instances are such that they have little or no effect upon prices of commodities the farmer sells. No one of the Northwest had occasion to believe that Congress would pass the kind of tariff bill that is under consideration at the present time. To me, it is a rank injustice to subject millions of farmers, who are producers of surplus crops and thus receive no tariff benefits, to higher prices on the things they have to buy because of the numerous industrial increases in the proposed tariff bill.

The new tariff measure is more or less groping in the dark as far as a sound, protective tariff policy is concerned. By the Hawley-Smoot bill we have established no definite protective policy. The general principle upon which the public accepted the tariff policy in the past was that the rates shall represent differences in costs of production at home and abroad. Experiences since the last revision of the tariff law in 1922 seem to have demonstrated quite conclusively that that is almost an impossible principle upon which to establish tariff rates. In connection with the recent tariff discussion, very few accurate figures were presented as to differences in costs of production in support of new rates that were written into the tariff bill.

Where a commodity produced in this country was subjected to competition from abroad, the demand was made to eliminate that competition rather than to establish rates upon the basis of differences of costs of production. The new bill, with reference to the determining of costs of production, declares that consideration shall be given to competitive conditions.

#### DEFINITE TARIFF POLICY NEEDED

If the Tariff Commission is to act as a scientific, fact-finding body, and if politics is to be given a minimum amount of consideration in connection with the commission's action, it will be necessary for Congress to lay down a very definite rule, or rather a definite standard of protection by which the Tariff Commission shall be guided in its investigations and in its findings. If the Tariff Commission is to recommend rates upon the basis of competitive conditions rather than upon the basis of costs of production, then Congress should lay down a definite rule as to the amount of competition that is to be permitted under our tariff laws. We should state definitely whether or not we wish to adopt a policy of complete embargo, or whether or not a certain amount of competition from foreign countries is desirable. If we conclude that some foreign competition is desirable, then we should state how much competition should be permitted. On many of the agricultural commodities, the farmers face foreign competition; while on many of the industrial commodities, the tariff rates are so high as to constitute a complete embargo. If this country is to live under a protective system, every effort should be made to have the principle applied as equitably as possible. If, on the other hand, we are going to continue to adhere to the costs of production theory, Congress must lay down some very definite rules as to how costs of production are to be determined.

I voted against the House flexible provision because I felt that in the future the provision would not and probably could not be worked to the advantage of agriculture. In the first place, the President of the United States in the future undoubtedly will owe his greatest obligations to the industrial centers, due to the rapid increase in industrial population. Great pressure will be brought to bear upon him to use his power in behalf of special privileged interests or in behalf of food-consuming centers of population. I can see the possibility of agriculture being sacrificed should we have a President who does not realize the importance of agriculture to the prosperity of the Nation as well as the necessity of having a strong agricultural industry as a factor in a national defense program.

#### PROBLEM OF PRODUCTION COSTS

Another reason for my voting against the House flexible provision is because it calls for a change of rates upon the basis of costs of production, placing another handicap upon agriculture. In view of the fact that Congress has not definitely expressed itself on the manner in which costs of production on agricultural commodities shall be determined, agriculture under that principle will be subjected to long delays in securing any relief under the flexible provision. It is most difficult to determine costs of production in agriculture. Costs vary greatly as between farms. One farmer, because of a high yield, would have a low cost of production. His neighbor may have a low yield, due to influences beyond his control, and thus have a high cost of production. Costs of production may also vary as between seasons.

Weather conditions may be such one year as to result in large yields per acre, and costs of production will be low. The next year, due to

different weather conditions, yields might be low, and the costs of production would thus be high. What year, then, should be used as a basis upon which to determine costs? Shall it be an average of years? If so, where should the average be taken? If it is an average of farms, how many farms should be investigated as to costs? It is clearly seen that it is most difficult to arrive at a basis of costs of production in this country, saying nothing about the almost impossible task of arriving at any costs of production abroad. Competition abroad may be from one or many countries. Which country shall be taken? If more than one, shall it be all the countries which are potential competitors?

#### POLITICS IN TARIFF MAKING

On the other hand, industrialists can submit figures as to their costs of production much quicker, much easier, and far more accurately. And costs do not vary as much between enterprises in the same industry, and there is also greater uniformity of costs from year to year. Studies of costs of production can be made quickly. There is, however, the difficulty of determining what the costs are in competing countries. The last eight years in which attempts have been made to apply the costs of production theory have been clearly unsatisfactory.

The authority that Congress delegated to the Executive in connection with the power to raise and lower rates upon the basis of costs of production has been so loose and so undefined that questionable politics has crept in, and the entire history of the flexible provision so far is not such that the Tariff Commission can be called purely a scientific, fact-finding body, as was intended when it was originally established.

The time has come to set up a new, well-defined policy with respect to the tariff. Congress can lay down a broad, general policy of protection, and then leave the details for the Tariff Commission to work out. This will overcome logrolling in framing the tariff, and will, likewise, overcome what I think is far more serious than logrolling—that is, the influence of politics in connection with the commission's activities. Politics and logrolling may be subjected to control in Congress by the actions of the people, but politics, once it creeps into a commission appointed for a long term, is impossible of control, and may result in grave injustices.

#### PEOPLE HAVE TARIFF RIGHTS

I do not propose to discuss the constitutional question involved in the delegation of the power of tariff making to the executive branch of the Government. During the last campaign, when the candidate for the presidency on the Democratic ticket made the suggestion that tariff making should be turned over to the Tariff Commission, I stated my belief that the power to determine tariff policies should always remain in the hands of the representatives of the people. It was during that campaign that the Republican candidate for the presidency, Mr. Hoover, stated: "The Tariff Commission is a most valuable arm of the Government. It can be strengthened and made more useful in several ways, but the American people will never consent to delegating authority over the tariff to any commission, whether nonpartisan or bipartisan. Our people have a right to express themselves at the ballot on so vital a question as this." I was greatly pleased at that time when the Republican candidate for President expressed those views. Having closely observed the procedure of tariff making during the entire course of the Hawley-Smoot measure I can see that some improvement must be made in the procedure of legislating on the tariff.

I realize the impossibility of Congressmen making a study of the merits or demerits of a large number of individual tariff rates. It appears to me that the solution of the problem is to lay down a broad, general, but well defined policy, and then turn over to a commission made up of specialists and scientists the problem of working out the details of the policy.

Congress should, I believe, in the first instance lay down the policy which shall guide the commission in its findings, and once the findings are submitted, Congress should then determine whether or not the findings are in accordance with the policy laid down by the representatives of the people. This procedure will eliminate the evil of logrolling. It will still retain the power in the hands of the people, which I think is highly essential in view of the growing importance of the Government policy on the distribution of the wealth of this country.

#### INDUSTRIAL RATES OVERSHADOW FARM GAINS

The flexible provision has been advanced as a safeguard against some of the unjustifiable rates in the bill. It is said that the President will be able to correct some of these injustices by the power invested in him through the flexible provision, and after he gets through with it the bill will be a perfect measure. The same arguments were advanced when the provision was originally placed in the tariff act of 1922. The history of the flexible provision during the last eight years can not be used to substantiate that argument. The Fordney-McCumber bill carried numerous unjustifiably high rates, and the sponsors of the bill at that time pointed to the flexible provision as a means of correcting the inequities. Only five items were reduced under the power of the flexible provision during all this time. They include a reduction of the duty on quail, paint-brush handles, cresylic acid, phenol acid, and mill feed.

None of the unreasonably high rates which are responsible for the disparity that exists between agriculture and industry were reduced.



We should not forget also that when an additional protection is once granted on a commodity it carries with it certain vested rights. It disturbs the economic equilibrium to grant increases and then reduce them. I am convinced that it would have been far better had the effort of Congress been confined to the determination of a new policy of protection and then applied scientific procedure to the correction of injustices in the Fordney-McCumber bill rather than to add to them by the enactment of the Hawley-Smoot bill with the hope that the President would correct the inequities under the power granted him in the flexible provision. What the country as a whole expected was that the special session of Congress would fit the farmer into the protection picture as well as it was possible to place him there; and little did they expect that his place in the picture would be almost completely overshadowed by the higher rates granted to industry.

#### STUDIED FARMS IN 11 NATIONS

Shortly after the special session was adjourned I went on a trip to Europe for the purpose of making a study of agricultural conditions in some of the countries across the ocean, and also to get the reaction of foreign countries to the proposed Hawley-Smoot tariff bill. I observed also the condition of prosperity of the 11 nations that I visited, and I came back thoroughly convinced that the policies of a country vitally affect the prosperity of the people. When anyone states to me now that the farmer's difficulties can not be improved by legislation, there flashes through my mind immediately the conditions of the farmers in other countries that I visited, and I then have a picture of peasants of one country compared with the more prosperous farmers of another, and the only possible excuse for their differences in prosperity is the differences in the policies of the countries under whose flags they live.

I landed in England. England is a great industrial nation. She has no great concern about her agriculture. Agriculture has been ignored for years by that nation. Her land policies and her rural psychology are such that it is practically impossible to develop a healthy agricultural industry. England, however, is a great consuming nation and is a market for American agricultural products. While there I found that our tariff policy was acting as a two-wedged sword against the American farmer. In the first place, it increased the cost to the surplus-producing farmer, which placed one more hardship upon his shoulders; and, further than that, it appeared that it would seriously injure his foreign market in England. The reaction against the American tariff policy over there resulted in agitation to the effect that the English people should buy from the producers of Britain's foreign possessions. All over London were posters with the slogan, "Empire buying is empire building." Some of the leading newspapers of the country were agitating that proposition almost daily. The proposed tariff bill of this country gave great impetus to that movement.

I went from England to Holland. Holland is a wonderful little agricultural country. I asked the government officials whether or not they had an agricultural problem, and they said they did not. They informed me that agriculture had parity with industry in that nation, and the leading farmers took great pride in stating that years ago when they were faced with the problem of whether or not they should go on a protective-tariff basis they decided against it.

#### FARM PARITY BRINGS PROSPERITY

Their decision was based upon the understanding that Holland was a surplus-producing nation, and the farmers, being surplus producers, would be placed at a disadvantage under the protective system. They took pride in pointing to the fact that they were successful in preventing the industrialists of Holland from securing tariff privileges which would have raised costs to the Dutch farmers. The farmer of Holland is "cooperative minded." His dairy cooperatives are highly successful. His marketing is so thoroughly organized that he is ready to ship his products to any market in the world, and he directs his marketing to such markets of the world as will bring him the greatest returns. The Dutch farmer has many advantages in cheap transportation. The numerous canals, which traverse almost every nook and corner of the land, are used by the farmer in transporting his commodities to market. Not having the handicaps of high transportation rates and the handicaps of a protective tariff on products that they buy, the farmers of Holland were distinctly on a parity with industry in that country. The more well-to-do farmers spend their winters at the seashore.

#### SUGAR TARIFF NO AID TO GERMANS

An interesting argument advanced by the farmers of Holland in defense of their policy was that they were able to produce sugar beets at a profit on a free-trade basis, while right across the border in Germany, under exactly the same soil conditions, the German farmer, under a protective-tariff system, is unable to compete with the sugar-beet grower of Holland. It should be remembered in that connection that since the war Germany has confined her efforts largely to rehabilitation of her industry. Agriculture over there has been neglected.

Consequently, the German sugar-beet grower, living near the Dutch border, found that the tariff had so increased his cost of production that he could not compete with the beet-sugar grower across the border, who produced under a condition of lower cost. To me it was a striking example of how the benefits of the tariff did not redound to the farmer.

Holland has a well-balanced farm program. It raised that little nation from the depth of despair to one that now boasts that she has less poverty than any other country. While other nations are permitting millions of acres to go out of cultivation because of a depressed agriculture, this little nation is launching out on a project to reclaim thousands of acres now covered by the Zuider Zee, and add them to her producing area. Because agriculture is profitable in that country, they are able to incur the tremendous cost of pumping the water out of a portion of the sea, make agricultural land out of it, and make that land pay a profit. Out in the Northwest there are thousands of acres of rich, fertile land, which only requires the application of labor and machinery to produce crops; but still the farmers there can not produce at a profit.

#### FARM NEGLECT HURTS GERMANY

I went from Holland into Germany. Germany, like the United States, is facing a severe agricultural problem. It is following legislation in this country with a great deal of interest, and with hopes that the United States will work out a solution of the agricultural problem, and that she will be able to profit by our efforts. Germany has long been a protective-policy nation. During the time of Bismarck, when the foundation was laid for a strong German nation, agriculture was given equal consideration with industry.

Bismarck realized the importance of agriculture to the welfare of the nation, and did not slight that nation in the formulation of national policies. The tremendous problems facing Germany following the war undoubtedly caused her to overlook the importance of agriculture. And while she was remarkably successful in bringing back her destroyed industries, she is just beginning to realize that she overlooked an important factor of national prosperity when she paid so little attention to the welfare of her farmers.

From Germany I went to Russia, that land of mystery about which we have heard so much, a land filled with numerous contradictions, the land that is going through a gigantic experiment in its social, economic, and political life. Russia is a distinctly agricultural nation. It has a population of 150,000,000 people, 130,000,000 of whom live in rural Russia, and 20,000,000 live in the cities. It is a great agricultural nation, a nation rich in natural resources, including lumber, coal, oil, and fertile agricultural land. Russia is now and for a considerable time has been a poverty-stricken nation. The people are depressed. They went through the World War. This was followed by several internal revolutions and a complete change in her economic, political, and social life. Russia has an agricultural problem. There are 29,000,000 farms in that large country. In America we feed over 120,000,000 people on 6,500,000 farms and have a large surplus besides. In Russia the 29,000,000 farms are unable to feed the population of 150,000,000 people. The nation was on a ration basis.

#### MACHINERY TRANSFORMING RUSSIAN FARMS

On the streets one would frequently see a long line of people in front of a store with their bread cards awaiting a chance to buy their supply of bread. Their meat also was on a ration basis. There was such a scarcity of food that every effort had to be made to conserve it and avoid famine and starvation. Russia's population is increasing at the rate of 3 per cent per year. Her Government officials realize that it is necessary to take drastic steps to produce sufficient food to feed the growing population. She launched out on a very elaborate scheme of industrializing agriculture.

The farmers of Russia live in small villages. Strip farming is the practice. A farmer having 5, 10, or 15 acres allotted to him, has it in small strips near the village in which he lives. This system of strip farming is very inefficient, and the Soviet Government is making an effort to abolish it by mechanizing her agriculture. While I was there she adopted a policy of forcing her farmers into communes, or what is sometimes called collective farms. It is her intention to completely mechanize agriculture. She is buying great quantities of farm machinery—tractors, plows, drills, harvesters, combines, and so forth—from the United States in the establishment of her program. She is also building new factories for the production of her own farm machinery for putting this program into effect.

The Russian farmer is an individualist, the same as the American farmer. To a large extent, he has resisted the attempt to drive him into cooperatives, or collective production. Government policies were inaugurated to force him into collectives. Those who joined a commune were given special prices on the things they buy, or given tax concessions, and were given machinery with which to produce. The Kulak, the rich farmer, is called rich because he probably has several cows, several horses, and a few pigs in contrast to his neighbor, who may have only one. The more well-to-do farmer, or that is the better farmer, objects to going into a collective, because he will have to divide the returns of his labor with those of the poorer farmer, who does less work but gets the same returns.

#### VISITED WORLD'S LARGEST FARM

In the early part of the year, the Soviet Government used such pressure on the peasants to join collectives that some of them revolted and proceeded to leave the country. This drastic policy of the government, however, had to be modified. Southern Russia, which I visited, was de-



clared a wheat-producing area, and any farmers in that area not producing wheat were told to move out and make way for some one who would. The Soviet Government officials have been much impressed with the possibilities of large-scale farming, as is carried on by Thomas Campbell, of Montana, and they are trying to establish a system of farming for the entire nation under which large-scale machine production will be followed. The strips are to be broken up and placed into large farms, and this will be under a policy of collective production in certain sections. In other sections, where the Soviet Government owns large estates, the government itself will operate the huge farm.

I visited the largest farm in the world in southern Russia, a farm of about 300,000 acres, upon which last summer 7,500 men were employed in the harvest. This rich, virgin soil produced about 40 bushels of wheat to the acre. Next year the soviet officials will employ 300 combines in the harvest, and by the use of combines they will replace 3,000 men in the harvest. The grain that is wasted by threshing with a combine they propose to save by having 1,000,000 chickens roam the fields of this large farm to pick up the grain that is wasted by the operation of the combine. I was informed that pilgrimages from various parts of the Soviet Union would be made to the large farm to demonstrate to the Russian people the possibilities of a mechanized agriculture. It should be remembered that the Soviet Government is a workers' government. This workers' government has launched out on the policy of making every peasant a worker. The land is to be similar to a factory, and the agricultural producer is to be placed on the same basis as the factory worker. The Russian government is spending millions of dollars to bring about a change in her agricultural industry. She realizes that it is vital to the prosperity of her nation, and the solution of the agricultural problem is essential to the success of the government. One would think that inasmuch as 130,000,000 of the 150,000,000 people are peasants, the government would be a peasant government. That is not the case. Out of the 20,000,000 people, between 1,000,000 and 1,500,000 are members of a communistic party. This party runs the government of that country. It formulates the policies of the country, and the peasants must submit or else face the consequences that result from opposition to the government. Punishment for such opposition varies from exile to Siberia to the penalty of death.

#### VOTE IS AGRICULTURAL SAFEGUARD

This is election year, and I bring this observation of procedure in government in Russia to point out the hardships that the rural people may be compelled to suffer because of their failure to take an active interest in the government of their country. In Russia but a small handful of people, in comparison with the large population of the country, completely controls the policies of the country. They do not even have two parties. Their theory of government does not sanction competition, not even competition between political parties. A very small minority is forcing its will upon the great majority of the people. It is not my intention to state that conditions are worse than they were under the Czar's régime. Some people told us conditions were better and others told us they were worse. Nevertheless, the nation as a whole is a poverty-stricken nation, and the responsibility for it must be placed upon the government of Russia. The Russian peasant has little or no influence in directing the policy of that large country, and he is suffering many inconveniences and hardships because of government policies, over which he exercises no control. In that connection, let me say that inasmuch as this is election year a hundred per cent voting population is agriculture's safeguard. The rights of agriculture will not be ignored in the face of an intelligent voting farm population, and I hope every farmer in Minnesota will make it a point to go to the polls on election day and take with him every eligible voter in his family and exercise his great privilege of citizenship.

#### SWEDISH PREMIER TELLS PROBLEMS

The importance of Government policies in connection with the farmer's economic welfare is becoming increasingly greater. I do not believe that he will ever have to submit to some of the injustices of government to which some of the peasants of foreign countries are subjected. But he can not expect to improve his standard of living unless he takes an active interest in formulating Government policies favorable to the industry in which he earns his livelihood.

I went from Russia to Sweden. Sweden is a comparatively prosperous little country. I had the rare privilege of discussing with the Premier of Sweden the agricultural problem of his country. He told me that they faced a problem similar to that of ours, in that the manufacturing interests of Sweden were able to secure greater tariff protection than were the farmers. Sweden several years ago adopted the debenture as a part of its tariff system. They told me that in that country it was effective, and that recently it was extended for another period of years. It appears to me that if Sweden can apply the debenture upon their surplus crops with good effect, there is no reason why it would not be equally successful in this country. After my visit to that country I became more convinced of the value of the debenture as a part of a country's protective tariff policy.

The Premier also discussed with me his country's forest conservation policy. He stated that they followed a policy of forest conservation for

years and had now reached the point where the annual growth is equal to the annual yield of forestry products. Or, in other words, wherever a tree is cut down there is another one to take its place. Forestry products constitute about 50 per cent of the exports of Sweden and was a substantial influence in the prosperity of that little nation.

#### COOPERATIVE MARKETING IN DENMARK

From Sweden I went to Denmark, a small nation where agriculture is the main industry. Farmers there stated that they had no farm problem, and that they were on parity with industry. Their national policies were much the same as those of Holland. Back in the seventies, when the vast and fertile regions of the Northwest were opened up for grain production and grain from those regions flooded the markets of the world, the farmers of Denmark faced ruination. Because of the poor soil of their country, they could not compete on the world's grain market with the American farmer. Inasmuch as they were an agricultural surplus producing country, they realized that tariffs would be ineffective, and declined to adopt a policy of protection as a cure for their ills. They became what might be called an agricultural manufacturing nation. They bought the cheap grains of America, fed it to livestock, and then shipped the livestock products to the consuming centers of Europe. They developed high-producing dairy cows, and raised hogs that produced a high-quality bacon. They developed their cooperative marketing organizations to a point where they controlled the product from the time it left the producer until it reached the consumer.

The Danish farmer gets from 70 to 80 per cent of the English consumer's dollar. His marketing is best organized in connection with cooperative bacon factories. Eighty-three per cent of the bacon is produced in the cooperative bacon factories. These bacon factories have their agents in England, and the factories consign the bacon to the agents on the consuming market in England.

#### SYSTEM IN SELLING BACON AND EGGS

A year ago last summer a representative of the Danish Government in England discovered that the bacon did not quite suit the tastes of the Englishmen because the Danish hogs were too heavy when marketed. Two weeks after the representatives of the Danish Government in England flashed the word to Denmark, the farmers of Denmark were marketing their hogs 20 pounds lighter. This was done by placing a higher premium on hogs that were marketed at the desired weight and a penalty of a lower price on those that were overweight. The Danish farmer markets his eggs in connection with these bacon factories. Here, too, the marketing is thoroughly organized. I was told that if an Englishman is served a bad egg at breakfast in London, the egg can be traced to the farm in Denmark where it was produced; and they said they expect in the near future to have the egg marketing so thoroughly organized that they could even discover the hen that laid the bad egg that came to the Englishman's table in London.

The cooperative effort of the Danish farmers is one of the outstanding accomplishments of that little nation. The farmers, living on land, the soil of which was originally poor, by improving their methods of production by joining together in cooperatives for the purpose of marketing their products and by control of the nation's governmental policies, have made that little country a relatively prosperous nation. They took pride in the fact that they have kept the industrialists of that country from exacting higher prices to the farmers through the medium of industrial tariff protection. I could not help but be very much impressed by the fact that surplus-producing farmers were able to prosper where they were not subjected to higher costs due to tariff rates on the things that they had to buy.

#### FARM EQUALITY MEANS PROSPERITY

From Denmark I went to Czechoslovakia, a comparatively new country that was established after the World War. Czechoslovakia is one of the most prosperous-looking countries that I visited in Europe. They told me that they had no agricultural problem, and that the farmers were in control of the Government, and that the only complaint that was being made was that the members of the Farmers' Party were getting too many political plums. Prices in Czechoslovakia were relatively low. The people seemed happy and contented. They were well dressed, and the country, in general, presented the appearance of a healthy, prosperous nation. The manufacturers in that country were on a surplus-production basis. It is a protective-tariff nation. The farmers were not producing a surplus, and, therefore, were able to take advantage of a protective-tariff policy. It was the only country that I visited where complaint was made that the farmers were getting too many considerations from the Government.

The principal observation on my trip to Europe was that in those countries where agriculture was prosperous the country was relatively prosperous; and in those countries where agriculture was depressed, or in distress, the nation, as a whole, was suffering a depression. I came back thoroughly convinced that the fight in behalf of equality for agriculture was not only necessary, from the standpoint of raising the standard of living for the people of rural America, but it also was fundamental to the continued general prosperity of this Nation. Much of the distress that now exists in the industrial centers, I am certain, can be eliminated by governmental policies.

## A GOOD PROGRAM FOR AGRICULTURE

The possibility of expanding the market for industrial products is greatest in the rural sections of America. New buildings, additional clothes, and many home conveniences that are enjoyed by people living in the cities of the Nation are still to be acquired by millions of farmers' families. The farmers themselves must lead the fight, and I am in hopes that the Minnesota Farm Bureau Federation, through its local units, its county organizations, and its State organizations, will continue its aggressive efforts in behalf of State and National policies designed to improve conditions on the farms of America. The program of the Farm Bureau closely coincides with the program that was followed by the farmers of Denmark. It includes the improvement of the technique of the individual farmer. It involves a program of agricultural education. It includes a program of cooperative marketing, and it also includes a program of legislation. Such a balanced program carried the farmers of Holland and Denmark from the depths of despair to a condition of relative prosperity, and I am convinced that the same well-balanced program applied to agriculture in America will restore the great industry, of which we are a part, to its rightful position among the other industries of the Nation.

CHARLES E. ANDERSON

The next business on the Private Calendar was the bill (S. 670) for the relief of Charles E. Anderson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay Charles E. Anderson, out of any money in the Treasury not otherwise appropriated, the sum of \$40 representing loss sustained by him in the purchase of horses for the United States Geological Survey in April, 1910.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

E. M. DAVIS

The next business on the Private Calendar was the bill (S. 671) for the relief of E. M. Davis.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. GREENWOOD. Reserving the right to object, this bill is for the redemption of bonds. Is there no general law that permits the Secretary of the Treasury to redeem lost bonds, where proper evidence is produced that would convince the Secretary of the truth of the claim?

Mr. IRWIN. There is no general law that permits the Treasury to pay or duplicate the bonds. They find no objection after the maturity of the bonds. If the claim is made before the maturing of the bonds they interpose an objection, but after the bonds are matured they do not. There is no general law by which they can pay, and the only relief is through Congress.

Mr. GREENWOOD. The Secretary of the Treasury takes a bond of indemnity to the Treasury against any duplication or loss. I notice that there are a number of these cases on the calendar. It strikes me that there ought to be a general authority to the Secretary of the Treasury on the presentation of proper evidence, with an indemnifying bond to redeem without coming to Congress in each specific instance.

Mr. IRWIN. I will say that the committee would be very glad if we could have some general provision of that kind, because we have hundreds of these cases coming before the Committee on Claims.

Mr. GREENWOOD. May I offer as a suggestion that the Claims Committee consult with the Ways and Means Committee in regard to relieving the calendar of such claims, and framing some general law of that kind.

Mr. IRWIN. I am glad to receive the gentleman's suggestion, and it will give me great pleasure to confer with the committee in reference to that matter.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General is authorized and directed to credit the accounts of E. M. Davis, former postmaster at Cut Bank, Mont., in the sum of \$174.33, representing the amount of postal funds lost by reason of the failure of the First National Bank of Cut Bank on January 1, 1921, and shown on final audit of his accounts as postmaster to be due the United States.

SEC. 2. That the surety on the bond of such E. M. Davis as postmaster is relieved of any liability on account of such loss.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GILBERT PETERSON

The next business on the Private Calendar was the bill (S. 857) for the relief of Gilbert Peterson.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to redeem in favor of Gilbert Peterson United States coupon notes Nos. E-1062861 and E-1062862, in the denomination of \$1,000 each, of the victory Liberty loan 4½ per cent convertible gold notes of 1922-23, called for payment December 15, 1922, with coupons due June 15, 1920, to December 15, 1922, inclusive, without presentation of such notes or coupons, such notes with such coupons and coupons due May 20, 1923, attached, having been lost or destroyed by the said Gilbert Peterson: *Provided,* That such notes shall not have been previously presented and paid and that payment shall not be made hereunder for any coupons which may have been previously presented and paid: *And provided further,* That the said Gilbert Peterson shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said notes and the unpaid interest which had accrued thereon when the notes were called for payment, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost notes and coupons herein described.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ANNA FACEINA

The next business on the Private Calendar was the bill (S. 968) for the relief of Anna Faceina.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna Faceina, of New York City, the sum of \$5,000, in full settlement against the Government, as compensation for injuries sustained when run down by a United States mail wagon on August 20, 1920.

SEC. 2. That no part of the amount in this act in excess of 3 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered or advances made in connection with said claim. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding \$1,000.

Mr. ARENTZ. Mr. Speaker, I offer the following amendments.

The Clerk read as follows:

On page 1, line 6, after the word "settlement," insert "of all claims." Line 7, after the word "Government," insert the word "and."

The amendments were agreed to.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word merely for the purpose of pointing out to the House an exception to the usual provision with reference to fees. Instead of the customary 10 per cent, the amount here is 3 per cent. I do not mean to infer by calling that to the attention of the House that the reduction was on account of a cheap attorney or that the claim is of a cheap character. There are cases where 3 per cent is sufficient.

Mr. O'CONNELL. This is the first time I ever saw a case where the amount was limited to 3 per cent. If it is for less expensive attorneys, so much the better.

Mr. STAFFORD. Well, there are so many attorneys in New York getting rich plums that this one is willing to take it on a 3 per cent basis.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CHRISTINA ARBUCKLE

The next business on the Private Calendar was the bill (S. 1252) for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased, late of the city and State of New York, out of any money in the Treasury not otherwise



appropriated, the sum of \$25,000 alleged to be due from the United States under the provisions of a contract entered into on October 13, 1908, between the decedent and the Secretary of the Navy for the salvaging of the U. S. S. *Yankee* that had stranded on Hen and Chickens Shoal, Buzzards Bay, Mass.

Mr. ARENTZ. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 2, line 2, strike out the period, insert a colon, and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to; and the bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### KREMER & HOG

The next business on the Private Calendar was the bill (S. 1254) for the relief of Kremer & Hog, a partnership.

The SPEAKER pro tempore (Mr. LEHLBACH). Is there objection to the consideration of the bill?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, this is a peculiar situation. Because of the carelessness of the United States these men went ahead and did this work, apparently on their own initiative, and now they file a claim for \$146.14.

Mr. IRWIN. This particular work was an emergency. There was no time and there would have been a great deal of loss if they had waited until they got authorization. Therefore, they went ahead and placed this culvert under the railroad in order to prevent more damage from occurring. The Comptroller General says that it was irregular, yet he recommends it.

Mr. O'CONNELL. That is what I had reference to.

Mr. IRWIN. It is a little irregular, but in this particular case it is one of those circumstances that could not be helped. The Comptroller General recommends that it be paid.

Mr. O'CONNELL. Mr. Speaker, I withdraw the reservation. The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Kremer & Hog, a partnership, for reimbursement of the sum of \$146.14 on account of additional expenses incurred in placing a culvert under the tracks of the Chicago & North Western Railway Co. due to delay by the United States in furnishing corrugated pipe for said culvert under contract of January 10, 1928, for the construction of drains on the Belle Fourche Federal Irrigation project, South Dakota, and to allow not to exceed \$146.14 in full and final settlement of any and all claims arising under or growing out of said contract. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$146.14, or so much thereof as may be necessary, for payment of the claim.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### GULF REFINING CO.

The next business on the Private Calendar was the bill (S. 1255) for the relief of the Gulf Refining Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Gulf Refining Co. for refund of rent erroneously paid on premises known as 401 Fifteenth Street NW., Washington, D. C., after claimant had vacated said premises on or before April 15, 1928, and to allow said claim in the sum of not to exceed \$200. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200 for payment of said claim.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### FEDERATION BANK & TRUST CO.

The next business on the Private Calendar was the bill (S. 1256) for the relief of the Federation Bank & Trust Co., New York, N. Y.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I am wondering why this bank, which is one of the outstanding banks of the country, did not exercise due care in making these loans?

Mr. IRWIN. The bookkeeper who made those transactions proved to be a criminal.

Mr. COLLINS. The gentleman knows the United States is not engaged in insuring against loss by the banks of the country because of the dishonesty of their employees.

Mr. IRWIN. I know that; but in this particular instance the bank acted in good faith. The Government ordered it to extend loans on these adjusted-compensation certificates.

Mr. COLLINS. Does the gentleman know whether this bank was insured against the dishonest acts of its employees?

Mr. IRWIN. I do not know.

Mr. COLLINS. Until the gentleman finds out, I shall object.

#### BEAVER VALLEY MILLING CO.

The next business on the Private Calendar was the bill (S. 1257) for the relief of the Beaver Valley Milling Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized to settle and allow the claim of the Beaver Valley Milling Co., Des Moines, Iowa, in a sum not to exceed \$418.10, as loss resulting from an error made in stating the estimated quantity of flour required for use at Camp Dodge, Iowa, during the period from August 1 to 26, 1928. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$418.10 for payment of the claim.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### GEORGE W. BURGESS

The next business on the Private Calendar was the bill (S. 1702) for the relief of George W. Burgess.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, is there any insurance involved in this case at all?

Mr. IRWIN. Not in these post-office cases. The postmaster gives a bond for the proper performance of his duties. In this instance a large amount is involved, but it is merely a book-keeping proposition. It is giving the man credit.

Mr. BACHMANN. The only thing that I am interested in about the bill is whether the chairman of the committee can assure the House that this is not an attempt on behalf of some insurance company to be relieved.

Mr. IRWIN. It is not. There is no insurance; no bonding involved. In these cases the bonding company will bond the postmaster for the proper performance of his duty, but the bonding company does not bond him against robbery or anything that he can help.

Mr. GREENWOOD. Mr. Speaker, what about the excessive amount involved—stamps worth \$254,000? What explanation was given to the committee as to that?

Mr. IRWIN. A great many branch post offices got their supplies from this office. At the time I thought it was rather a large amount, but my experience in dealing with some of those claims has led me to believe that in this particular instance the amount, while it looks excessive to the gentleman and to myself, is not unusual. The department has carefully checked up, and they say the actual stamps and material were stolen and they ask that the bill be passed.

Mr. GREENWOOD. The committee was assured that a complete audit had been made and that there is no question about the amount?

Mr. IRWIN. There is no question about it at all.

Mr. GREENWOOD. And no insurance was collected, burglar or otherwise?

Mr. IRWIN. No.

Mr. O'CONNELL. Why did it take so long to bring a claim of this magnitude before the House?

Mr. IRWIN. These claims have been pending heretofore in former Congresses. I can not account for that. I do not know what happened in the Congresses heretofore. The bill came to us in the regular way, and we recommend its passage.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Postmaster General be, and he is hereby, authorized and directed to credit the account of George W. Burgess, postmaster at Pawtucket, R. I., in the sum of \$254,272.11, the value of postage-stamp stock lost in the burglary of the post office at Pawtucket, R. I., February 1, 1926.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ALICE M. A. DAMM

The next business on the Private Calendar was the bill (S. 1798) for the relief of Alice M. A. Damm.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, referring to the purpose of the omnibus bill which was reported from the Committee on Foreign Affairs, to which I objected a few weeks ago, it involves the principle of paying an honorarium to the widow of a deceased consular officer. In the Navy we have a general law whereby we pay only six months' gratuity to dependent relatives who may be designated. Years back it was the policy to pay a year's salary to the widow of a deceased consular representative. That was prior to the passage of the so-called Rogers Act, which placed consular officers on the retired list and raised their salaries materially and gave them a good living wage.

Mr. O'CONNELL. But it did not vitiate this legislation.

Mr. STAFFORD. There is no policy established for giving a year's salary to the widow of a deceased consular representative, irrespective of the question of dependency. You are proposing to adopt it now whether they are dependent or not. If you adopt this policy we are obligated to give this gratuity to every widow of every consular and commercial officer abroad. If you recognize that policy in this case, why not give a year's salary to the widow of every Government employee?

Mr. GREENWOOD. If I were opposed to this I would raise the question of consideration on the ground that it should have come from the Committee on Foreign Affairs. We have an item pending there that is like this. Perhaps that bill should have been sent to the Committee on Claims.

Mr. STAFFORD. The gentleman's committee should not be criticized.

Mr. COLLINS. Does not the gentleman think this amount should be reduced one-half?

Mr. STAFFORD. It should not have been reported. I object.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

NELLIE FRANCIS

The next business on the Private Calendar was the bill (S. 1945) for the relief of Nellie Francis.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Reserving the right to object, I understand this is similar to the last bill. Is that the fixed policy of the committee?

Mr. IRWIN. These bills were sent to us by the State Department, which recommended their passage. It was reported with instructions that the one year's salary was to be appropriated in cases of that kind.

Mr. GREENWOOD. Has your committee a rule fixing that?

Mr. IRWIN. No. That was sent down by the State Department.

Mr. GREENWOOD. Does the length of service of the employee have anything to do with that?

Mr. IRWIN. This is put in the same category as the widows of deceased Members of Congress.

Mr. PATTERSON. Would it not be well to place this on the basis suggested by the gentleman from Indiana [Mr. Wood], chairman of the Committee on Appropriations, applying to Justices of the Supreme Court only where it was needed, as in the case of the late Justice Sanford?

Mr. IRWIN. We took into consideration the precedent set in the case of deceased Representatives.

Mr. STAFFORD. If I should be retired, unfortunately I would not get retirement pay. These officers get retirement pay in accordance with the Rogers law reported by the Committee on Foreign Affairs. There should be some fixed policy for paying this gratuity as to whether they are dependent or not.

Mr. COCHRAN of Missouri. I notice in the report a letter to the chairman of the committee by the Acting Secretary of State, which says, near the close—

There is inclosed a copy of a list indicating the action taken in cases similar to the one before your committee.

What does he refer to?

Mr. IRWIN. It was sent down by the State Department, requesting us to take action.

Mr. STAFFORD. I may say that since the enactment of the Rogers Act only one special bill was passed through Congress, and that was in the last Congress. There was also a provision carried in the State Department appropriation bill in one instance, very likely arising out of an amendment of the Senate. We must have some definite policy; otherwise we will go wild in paying gratuities to relatives of deceased officials. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

MADDUX AIR LINES (INC.)

The next business on the Private Calendar was the bill (S. 1955) for the relief of the Maddux Air Lines (Inc.).

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Reserving the right to object, Mr. Speaker, I know the original cost of this plane, but I do not know its age at the time this accident occurred.

Mr. SWING. It is all set forth in the claim filed with the company.

Mr. COLLINS. It is not in the report.

Mr. SWING. It was purchased from the Ford Motor Co. on the 3d day of January, 1929, and destroyed on the 21st day of April, 1929.

Mr. COLLINS. I know the original cost of the plane was \$54,475. I secured this information from the War Department, but they did not know the date it was built.

Mr. SWING. It was nearly a new plane.

Mr. COLLINS. Well, it might or might not have been a new plane. I also want to ask the gentleman next how many hours it had been flown?

Mr. SWING. I have no information on that point, but the gentleman can readily see that, it having been bought in Detroit on the 3d day of January and then taken out to their plant and then having the extra equipment placed in it that is found in paragraph (b), tuned up and worked over, it was not put into operation for several weeks after it was purchased. It had only been on the run just about two months.

Mr. COLLINS. What about the use of these planes on a run? Do they fly to one place and then return, and are they constantly in use?

Mr. SWING. Yes. It is customary for them to make the round trip, and then on return to Los Angeles the plane, at the end of the round trip, goes into the machine shop.

Mr. COLLINS. What is the life of these planes, used as they are by this company?

Mr. SWING. I am not an expert on that. I think probably the gentleman knows more about that than I do. The plane itself is one thing and the life of the engines would, of course, be another thing.

Mr. O'CONNELL. Is this the exact cost of the machine?

Mr. SWING. Oh, no.

Mr. COLLINS. It is a reduction of about \$12,000?

Mr. SWING. The board of investigators was composed of some of the Government's best air men, who knew about the life of planes and the life of engines, and they made a compilation of what they thought was the actual valuation. I simply took their figures when I drafted the bill. They made an allowance proper, in their judgment, for depreciation on the engines and upon the plane.

Mr. O'CONNELL. But they did not make any recommendation for or against the bill—I mean the War Department did not?

Mr. SWING. I think you will find in the report a recital of what the board said. They said the collision was the result of a maneuver unwarranted, illegal, and inexcusable on the part of Lieutenant Keefer, and one that could not have been avoided by the Maddux Air Line, and the last recommendation was that the investigation board recommended that the War Department take the necessary steps to insure payment to the Maddux Air Line of this amount. Then in the bill I simply took the precise amount which the Government itself found was due this company.

Mr. COLLINS. But the Secretary of War likewise said that the Government could not be held legally liable for the torts of its agents.

Mr. SWING. The gentleman knows that is true of every private claim bill. Unless there was negligence on the part of the Government agent there would be no bill presented to



Congress. There would have to be negligence or tort on the part of an agent of the Government or we would not consider any of these private claims.

I have a letter from our former colleague, Mr. Good, then Secretary of War, which I would like to read:

However, from the most credible accounts, it may be stated that the Army flyer did actually fly in dangerous proximity (50 to 150 feet) to the passenger plane for an appreciable time before the collision. It is also quite well established that just before the collision he was flying above and to the right of the Maddux plane, and that he made some maneuver which brought him downward and to the left, so that his plane struck the center motor, left outboard motor, and both wings of the Maddux plane, resulting in the crash. The Maddux plane apparently flew a straight course, and there is nothing to indicate that it made any movements up or down, to the right or to the left.

So that there is no question that the Maddux airplane was pursuing the even, regular course which it always took, leaving San Diego. This man may have attempted to do some exercise by flying in close formation. Perhaps he was practicing what he thought was some military maneuver.

Mr. COLLINS. Is the gentleman trying to defend the negligence of this man?

Mr. SWING. No. Admittedly he was doing something that he should not have been doing, because he was flying in dangerous proximity to this commercial plane, and thereby actually caused its destruction. When the Army plane left the ground everything was in good condition. Since everybody was killed, including the Army flyer, it is impossible to completely reconstruct the happenings.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Maddux Air Lines (Inc.), of Los Angeles, Calif., the sum of \$42,877.45 as reimbursement for loss by the destruction of its certain trimotored Ford airplane bearing factory number 5-AT-10, license number NC 9636, destroyed near San Diego, Calif., on April 21, 1929, without fault on its part, through collision with an airplane belonging to the War Department of the United States, and then and there operated in a wrongful and negligent manner by Lieut. Howard Keefer, a United States pilot, then and there flying under orders and in line of duty.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BUFORD E. ELLIS

The next business on the Private Calendar was the bill (S. 1971) for the relief of Buford E. Ellis.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$495.15, to Buford E. Ellis, BM-2c, United States Navy, of Calhoun City, Miss., on account of expenses incurred by him for civilian medical treatment while suffering from cellulitis contracted May 1, 1929, while on leave of absence from the U. S. S. *Mississippi*, with orders to report at Washington Navy Yard, Washington, D. C.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

WARREN J. CLEAR

The next business on the Private Calendar was the bill (S. 1979) for the relief of Warren J. Clear.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, this is just another case of where an Army officer wants the Government to pay him for furniture and property that was lost during the earthquake in Japan, on which he should have insured himself against loss, just as every prudent person is expected to do. Therefore I object.

Mr. O'CONNELL. Will the gentleman withhold his objection for a moment?

Mr. COLLINS. I will withhold the objection.

Mr. O'CONNELL. This is the same sort of claim that was contained in the omnibus bill the other day when 60 or 70 claims were considered.

Mr. COLLINS. I do not think that bill should have been passed.

Mr. O'CONNELL. Well, it did pass.

Mr. COLLINS. I think we should expect of our Army officers the same degree of responsibility that we expect of civilians.

Mr. O'CONNELL. It is making fish of one and fowl of another.

Mr. COLLINS. I do not think that any of these bills should pass. This one does not even have the approval of the War Department. The report says that at the time this loss occurred this officer was not engaged in saving Government property, and payment of the claim is not recommended.

Mr. O'CONNELL. Because of that earthquake it is costing the United States about \$1,500,000 for the erection of a new embassy.

Mr. GREENWOOD. I want to say that I entirely agree with the gentleman from Mississippi, that the Government ought not to be held responsible for accidents that happen to people's property by reason of fire, earthquake, or storm. They ought to carry proper insurance and protect their own property, unless it be shown that they lost their own property in trying to save the property of the United States Government.

Mr. COLLINS. And they have the right under existing law to be paid if losses are sustained when they are engaged in saving Government property.

Mr. GREENWOOD. Otherwise we are going out into the field of general insurance.

Mr. COLLINS. And finally we will have to pay every Government employee for the loss of personal property destroyed by fire, tornado, or earthquake.

Mr. GREENWOOD. This loss occurred by reason of an earthquake in Japan, and should the United States Government be held responsible for damage to private property by reason of an earthquake?

Mr. O'CONNELL. I will say to the gentleman that we were held responsible for what we lost there ourselves.

Mr. GREENWOOD. Certainly, because the Government has to pay for its own losses. I want to make this observation, that I hope the chairman of the committee will adopt a fixed policy which will relieve the United States Government from the payment of damages for losses that may occur to private property by reason of storm, fire, earthquake, or any other accident of that kind, unless it be shown that in the saving of property of the United States an individual lost his own property.

Mr. IRWIN. In this particular case the captain who lost this property was engaged in some very humane work, because he was saving the lives of women and children.

Mr. COLLINS. The report does not show that.

Mr. IRWIN. I think it does.

Mr. COLLINS. No; the report states that this man was not engaged in saving Government property at the time. I object.

RICHARD RIGGLES

The next business on the Private Calendar was the bill (S. 2166) for the relief of Richard Riggles.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, is the chairman of the Committee on Claims familiar with this bill?

Mr. IRWIN. This is a bill that came over with the recommendation of the Navy Department.

Mr. BACHMANN. Does it occur to the gentleman that since this injury happened on February 6, 1885, while this man was employed in a navy yard, since there is no report after 1914 showing whether or not he is still in the Government service, or anything about him, for the additional reason that he received a promotion within a year after the injury increasing his wages from \$1.60 to \$3.20 a day, and a promotion from helper to a full-fledged machinist, that the Government has done all that should be done for him?

Mr. IRWIN. It does not seem so, because after consideration by the Navy Department they recommend the passage of this bill.

Mr. BACHMANN. Not since 1914.

Mr. STAFFORD. I wish to supplement the argument advanced by my friend from West Virginia. It is agreed that this gentleman suffered an injury, but the Government took that fact into consideration and gave him another kind of a position, with increased salary.

Mr. BACHMANN. It gave him a promotion from helper to that of a full-fledged machinist.

Mr. STAFFORD. It gave him lighter work and virtually compensated him for the injury. As I read the report, he was continued in the service, and I know of instances where private employers try to take care of their men in a similar way. Is the Government going to be penalized for trying to take care of an injured man?



Mr. IRWIN. I will say to the gentleman from Wisconsin that the committee took into consideration the fact that this bill was similar to many others where men had been injured in the service and were retained in the service, even at greater pay, for a little while and then finally discharged because they could not use them any more. Then this man was not in a position, owing to the fact that his foot had been amputated, to go out into the world and get another position. For that reason the committee recommended the bill.

Mr. BACHMANN. This man continued in his employment. If you will look at the report, on page 3, you will find he was returned to the service, after having been discharged, at least ten or twelve times, up until the year 1914, and from the year 1914 you do not have a thing in your report showing whether or not he is still in the service or anything about him. We do not know whether his record has been good, and I will say to you very frankly that it would place this case in a different position if this man were still in the service and has had a good record since 1914. Under the circumstances and without that information I must object.

C. A. CHITWOOD

The next business on the Private Calendar was the bill (S. 2465) for the relief of C. A. Chitwood.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States Employees' Compensation Commission shall be, and is hereby, authorized and directed to extend to C. A. Chitwood, former employee in the Forest Service, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1906, as amended, compensation hereunder to commence from and after the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

WILLIAM HENSLEY

The next business on the Private Calendar was the bill (S. 2467) for the relief of William Hensley.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this is a bill providing payment of \$1,500 for injuries which this man received and for which he received compensation under an act of 1908. This case, as I now note, is similar in its purport to the case that was under consideration a moment or two ago. As I recall the report, he met with injury and then was continued at light work by the Government in the machine shop at the navy yard here in Washington.

Where the Government takes care of its injured men by continuing them in employment, giving them a living wage, why should we supplement the gratuity of the Government by paying an additional gratuity? There is nothing in the report to show that this man is not still employed by the Government. True, he suffered an injury, but the Government took care of him and gave him employment, just like I stated a moment ago private employers do when their men are injured.

Mr. IRWIN. I will say to the gentleman that this employee was a civilian and was not connected with the Navy. He lost practically one entire hand, which reduced his earning capacity. He was reduced in his wages, and for that reason the committee felt that this claim was meritorious.

Mr. STAFFORD. This man is receiving compensation at the rate of \$2.40 per diem?

Mr. IRWIN. Not compensation. He is receiving pay at that rate, but he was receiving far more than that before the injury.

Mr. STAFFORD. I think this bill should be passed over for the time being. I object, Mr. Speaker.

A. R. JOHNSTON

The next business on the Private Calendar was the bill (S. 2788) for the relief of A. R. Johnston.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, is there any gentleman on the floor who knows about this bill?

Mr. McMILLAN. I may say to the gentleman that the only thing I know about the bill is that Mr. Johnston, in 1919, was a member of the United States Assay Commission, and this claim of \$120 covers the expenses of Mr. Johnston as a member of the commission in going to Philadelphia to attend to official business on connection with that commission.

Mr. BACHMANN. If this report contained some additional information, or if the gentleman could supply further information, I would not object, but all the committee has is what is contained in the report and the bill, and as I read them, when he was appointed a member of this commission he went to Philadelphia and was asked by the Director of the Mint to send in his expense account. He was asked by the Secretary of the Treasury to send in his expense account. He never did this. They had no way to audit his expenses, and this was over 11 years ago.

Mr. McMILLAN. Yes.

Mr. BACHMANN. Three years after the appropriation had been made the time limit expired when payment could be made, and there is no way now to audit the expenses. It occurs to me that if Mr. Johnston really wanted this money, to which he was entitled at that time, he surely should have acknowledged receipt of the letter and advised the Government of the expenses he incurred. He has waited 11 years, and now he comes in and asks to be reimbursed for this money.

Mr. McMILLAN. I may say for the information of the gentleman that since this bill passed the Senate and came over to the House, Doctor Johnston has written me a letter, as well as Senator SMITH, the author of the bill, asking me to look after the matter for him. Doctor Johnston stated to me in his letter that in 1919, like many other men, perhaps, of that day and time, he was in a more prosperous mood than he is now, and if the same conditions prevailed now as those that prevailed in 1919, he probably would never have asked for this money. I happen to know that down in my country, where Doctor Johnston now resides, he, like many other citizens of my State, needs every nickel he can obtain, and I think it was with this thought in view that he asked Senator SMITH to introduce this bill.

Mr. BACHMANN. Does the gentleman feel that we should pay this bill without being advised of what expenses he incurred? All we have here is the sum represented in this bill of \$120.76, and it is not itemized.

Mr. McMILLAN. The report, however, does show he submitted an itemized statement, and that that statement was sworn to.

Mr. BACHMANN. Where is it?

Mr. McMILLAN. It is in the report.

Mr. BACHMANN. I will say to the gentleman I have been unable to find it. I wish the gentleman would point it out.

Mr. McMILLAN. The statement the gentleman refers to is not in the report, but it is stated here that he submitted it, and my understanding is it has been filed with the Senate committee.

Mr. BACHMANN. Where is it stated he submitted it?

Mr. O'CONNELL. He submitted it within three years, according to the report.

Mr. BACHMANN. As I read the report it appears that Doctor Johnston never sent in his expense account.

Mr. McMILLAN. On page 1 of the report the gentleman will find this statement in the last three lines on that page:

There is no question as to the claimant's right in the premises, and as he has submitted a sworn expense account, which appears reasonable, it is recommended that the bill do pass.

Mr. BACHMANN. That is a statement by the committee. He never filed any expense account with the Treasury Department so far as this report shows.

Mr. McMILLAN. As I have said, a sworn statement has been filed with the Senate committee.

Mr. BACHMANN. The gentleman is satisfied that an itemized statement has been filed by Doctor Johnston and that it was filed within the 3-year period?

Mr. McMILLAN. It was filed with the committee.

Mr. BACHMANN. When?

Mr. McMILLAN. That I do not know. I am basing that statement merely on the statement in the report.

Mr. BACHMANN. The gentleman is satisfied this sum represents—

Mr. McMILLAN. I am satisfied it is a perfectly legitimate claim and that Doctor Johnston in no wise is undertaking to get anything out of the Government that is not right. He attended to his duties.

Mr. BACHMANN. And the \$120.76 represents the amount he actually paid out for his expenses as a member of this commission?

Mr. McMILLAN. Exactly.



Mr. BACHMANN. I will offer no objection. There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to A. R. Johnston, member of the United States Assay Commission, out of any money in the Treasury not otherwise appropriated, the sum of \$120.76, being the amount expended by him for traveling expenses incurred in the discharge of official duty from February 10, 1919, to February 16, 1919.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### RELIEF OF CERTAIN LESSEES OF PUBLIC LANDS IN WYOMING

The next business on the Private Calendar was the bill (S. 2864) for the relief of certain lessees of public lands in the State of Wyoming under the act of February 25, 1920, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I have had some difficulty in bringing my mind around to the viewpoint that these claimants ought in equity to have this money returned. I understand they entered the land, that there was an adverse claimant, that it went to litigation, and the litigation resulted in their rights being recognized.

Mr. CARTER of Wyoming. That is not the state of facts. Here is the history of the case: Under section 17, of the general leasing act of February 25, 1920, these men bid off these lands and paid a bonus. The Government was in no position to give them exclusive title because some outsider claimed a right under the placer mining law. These men paid for it. The Government was not able to deliver it to them, and they ask for the return of their money.

Mr. STAFFORD. Is it not a fact that the Government brought suit against the claimants under the placer mining law and the Government recovered, and that the entrymen were given the privilege to enter on this land?

Mr. CARTER of Wyoming. The litigation started in 1921 and terminated in 1929. During these eight years everybody around the property had pumped the land dry.

Mr. STAFFORD. Well, that fact presents a different phase. Then with the changed conditions the Government was not able to give possession of the land, after the litigation period as it was when they paid the bonus. When I read the report of the Commissioner of the Land Office I thought that they were able to reinstate them in their rights.

Mr. CARTER of Wyoming. No; they were not able to do that.

Mr. STAFFORD. The condition of the land had changed by the oil being depleted, and thereby they were deprived of their rights?

Mr. CARTER of Wyoming. Yes. The Department of the Interior recommends the bill.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation. The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the Kinney-Coastal Oil Co. the sum of \$15,000, (2) to Ralph E. Wertz the sum of \$2,910, and (3) to the Castle Oil Co. the sum of \$2,495, as refund of a part of amounts paid to the United States for the purchase of oil and gas leases under the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended, covering, respectively, the following-described lands in the State of Wyoming, exclusive possession of which the Secretary of the Interior was unable to deliver to the said lessees: (1) The southeast quarter northwest quarter and the southwest quarter northeast quarter section 29; (2) the west half southeast quarter section 29; and (3) the northeast quarter southwest quarter section 20, all in township 40 north, range 78 west, sixth principal meridian, Wyoming: *Provided*, That before payment is made of the sums herein specified, each lessee beneficiary hereunder shall file a relinquishment of all right, title, and interest found by the Secretary of the Interior to be held by such lessee in and to either or all of the respective tracts of land hereinbefore described.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### ELIZABETH B. EDDY

The next business on the Private Calendar was the bill (S. 2873) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, this bill has been dangling in the air for consideration for many years. Now it comes over here from the Senate for favorable consideration or the ax. I am inclined to give it the ax. [Laughter.] If I am in error, it will have free passage through the congressional chamber of horrors.

There is no question that this private performed duty as a telegraph operator, but how many privates in the Civil War performed civilian duty rather than military duty? Later on in the service, February, 1864, he was transferred from the regular military service to the Military Telegraph Corps, at which time he received pay of that grade. Why should we at this late day go back and compensate him for a different character of service than that for which he was enrolled?

Mr. IRWIN. All I know about this particular case is that it went through the Court of Claims and the finding there was that the Government owed him the money. We must take those findings.

Mr. STAFFORD. I am not sufficiently advised as to the condition during the Civil War, but I can conceive that many privates did other work than on the firing line. He raised no protest about it and was ultimately transferred. His immediate superior later on authorized him to be transferred to the telegraph corps, in which he received the higher salary. I think at this late day we ought not to recognize this additional pay, and I object.

#### DEWITT & SHOBE

The next business on the Private Calendar was the bill (S. 2972) for the relief of DeWitt & Shobe.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, there is some dispute as to whether the contractor was virtually obliged to resurface the revetment below the ordinary low-water mark or the exceptional low-water mark. As I recall, the contract was rather ambiguous in that particular. The contractor went ahead and construed his obligation to be that it was to be below the then existing low-water mark, which happened to be an exceptional low-water mark on the Missouri River.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. COCHRAN of Missouri. Mr. Speaker, I happen to have some knowledge of the case cited, the decision of the comptroller, upon which this claim is based. Both cases are identical. The comptroller rendered a favorable decision in the Fox & Bristol case, and they were paid \$34,000, I think it was, for extra work. DeWitt & Shobe claimed somewhere around \$16,500 in the original bill. The Senate committee, at the request of the War Department, cut it down to \$8,290. The War Department makes a favorable report, submitted the bill to the Budget Bureau, and the Budget Bureau approved. The War Department admits that the Government has received the benefit of the work done and that DeWitt & Shobe are entitled to \$8,296.

Mr. STAFFORD. Will the gentleman kindly explain the reason why in this case the comptroller did not pass the claim, whereas in the case cited he did?

Mr. COCHRAN of Missouri. The time limit had expired.

Mr. STAFFORD. In confirmation of what I stated in my prefatory remarks I read from the report of the district engineer:

The specification under which this revetment work was done is somewhat ambiguous.

Mr. IRWIN. These contractors wanted to do their work in good faith, and they wanted to deliver to the Government a proper piece of work, and in order to do that it became necessary for them to put in a lot of extra work for which they rendered a bill of \$16,000. After thorough review by the War Department it was cut down to \$8,000 and odd. In this particular instance, where the contract was ambiguous and where this contracting firm had rendered the service to the United States, we thought they ought to be paid for it.

Mr. STAFFORD. There was no claim made by the contractor to the district engineer as to the requirement that he should revet this below the exceptional low-water mark. Here is a claim that dates back to work performed in 1912 and 1914.

Mr. IRWIN. We are not responsible for those bills that have been hanging in the committee for years. We are trying to take them as they come. In this particular case the only point that I can see is that these contractors were not able under this particular contract to determine just exactly what work was expected of them, but they wanted to do the work properly and give the Government what was coming to it, and they did so, and they are asking that they be paid in a reasonable sum.



Mr. STAFFORD. Has this been inspired by some claim agent or attorney?

Mr. IRWIN. Absolutely not.

Mr. COCHRAN of Missouri. Senator HAWES introduced the bill in the Senate.

Mr. NELSON of Missouri. This firm went broke. They are in my district. I am interested in seeing these people who have never been paid receive what is due them.

Mr. STAFFORD. When did they go into bankruptcy?

Mr. IRWIN. The report does not show. It merely says that it went into bankruptcy, but it does not say when.

Mr. STAFFORD. Would the gentleman have any objection to incorporating the attorney's fee amendment?

Mr. NELSON of Missouri. No.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to DeWitt & Shobe, of Glasgow, Mo., out of any money in the Treasury not otherwise appropriated, the sum of \$8,296 in full settlement for extra work performed under contract dated May 15, 1912, for revetment work at Providence Bend, Missouri River, for which work the Government has received the benefit but for which no payment has been made, the facts in this claim being identical with the facts in the case of Fox & Bristol, allowed and paid by the Comptroller General (vol. 21, Comp. Gen. Des. 750).

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 2, strike out the period, insert a colon and the following:

*"Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### NATIONAL SURETY CO.

The next business on the Consent Calendar was the bill (S. 3038) for the relief of the National Surety Co.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Mr. Speaker, I think this bill is incorrectly drawn. It refers to an illegal payment. I can not conceive how this would be an illegal payment, and I must object.

Mr. IRWIN. Would the gentleman withhold his objection?

Mr. BACHMANN. Yes.

Mr. IRWIN. This bonding company was not responsible at this time when this shortage took place. The bond was given by the surety company, but at the time the shortage was determined the bonding company was not liable, because the bond was not in effect.

Mr. BACHMANN. Accepting all that as true, that does not show that it is an illegal payment.

Mr. IRWIN. You can not hold the company responsible for a bond that was not in force at the time.

Mr. BACHMANN. I do not want to hold the company responsible for the payment, but I object to the House going on record and acknowledging that this is an illegal payment when it is a mistake of the bonding company.

Mr. IRWIN. I suggest that the gentleman offer an amendment to correct that.

Mr. BACHMANN. If an amendment is agreed to I have no objection to it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the National Surety Co. the sum of \$157.89, being payment illegally made by the said company to the United States in behalf of H. C. Lewis, late postmaster at Creech, Ky., for loss of postal fund; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

Mr. BACHMANN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Line 5, after the word "payment," strike out the word "illegally," and in line 6, after the word "company," insert the words "by mistake."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### GEORGE B. SPEARIN, DECEASED

The next business on the Private Calendar was the bill (S. 3039) for the relief of the estate of George B. Spearin, deceased.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, reserving the right to object, I do not like this bill very much.

Mr. IRWIN. I would like the gentleman to explain his reason.

Mr. PATTERSON. We ought not to go back and pay this interest simply because somebody did not file the claim in time. It seems to be an undue claim.

Mr. IRWIN. The attorney in charge of this matter is not said to have become insane, but, as you will notice in the record, he was mentally unbalanced. Of course the company was dependent on the attorney, and the attorney, by virtue of his physical disability, neglected it. Owing to this disability, this mental derangement, the lawyer in the case neglected to file the claim within the specified time. It was no fault of the company.

Mr. PATTERSON. It was no fault of the Government, either.

Mr. IRWIN. If the Government had had his affidavits it would not have happened. Therefore we feel that the company is entitled to this. The statute of limitations practically has run here by virtue of the fact that the lawyer to whom this work was intrusted was mentally incapacitated.

Mr. PATTERSON. But the company received the amount of the principal.

Mr. IRWIN. This was a part of the amount. If the lawyer had been there, they would have received this amount.

Mr. PATTERSON. The gentleman from Illinois knows how I feel toward him and toward his committee. I do not want to object. I suggest that we let it go over until next session. Of course I know that is equivalent to a rejection.

Mr. STAFFORD. Does the gentleman know of any case where compensation is given through default of the attorney of the opposing side?

Mr. IRWIN. We think that the company is entitled to it.

Mr. STAFFORD. It is a large sum, and they are expecting the United States to pay for the default of their attorney.

Mr. IRWIN. I do not think they are asking for more than they are entitled to.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### THE BUCK CREEK OIL CO.

The next business on the Private Calendar was the bill (S. 3284) for the relief of the Buck Creek Oil Co.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to the Buck Creek Oil Co., a Wyoming corporation, such amount as may be necessary, not in excess of \$2,903.08, in reimbursement of amount paid as rentals and royalties, over and above the amounts due under the law and regulations, in connection with oil and gas lease, Cheyenne, Wyo., serial No. 036291, executed December 24, 1927, for the southeast quarter of the southwest quarter of section 5, the northeast quarter of the northeast quarter of section 7, and the north half of the northwest quarter of section 8, all in township 35 north, range 65 west, of the sixth principal meridian, Wyoming.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

#### JOHN WILCOX, JR.

The next business on the Private Calendar was the bill (S. 3577) for the relief of John Wilcox, jr.

The title of the bill was read.



There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$50 to John Wilcox, jr., a forest ranger employed on the Flathead National Forest, State of Montana, in payment for an automobile, which was destroyed by a forest fire in said national forest.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

JAMES R. SHEFFIELD

The next business on the Private Calendar was the bill (H. R. 3623) for the reimbursement of James R. Sheffield, formerly American ambassador to Mexico City.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Reserving the right to object, Mr. Speaker, I would like to suggest an amendment, if acceptable, providing that it shall be in full settlement.

Mr. COLLINS. Mr. Speaker, I reserve the right to object.

Mr. STAFFORD. I wish to say that I am not acquainted with former Ambassador Sheffield, but I note from the Chicago newspapers that he occupies a high standing in the professional field as leader of the bar.

Mr. COLLINS. I am sure of that.

Mr. STAFFORD. I came to the conclusion on reading the report that it was his duty to put the building in proper condition, and, as the report states, he expended money out of his own pocket for which he should be reimbursed. If he had delayed, it would have deprived the officers of the accommodation of desirable quarters.

Mr. COLLINS. The only trouble about this matter is that there were ample funds provided. I think perhaps the gentleman from Illinois [Mr. IRWIN] can give the amount provided.

Mr. IRWIN. The Secretary of State, in making a report on this case, says that this officer spent his own money for this improvement, and under those conditions he certainly was not himself liable.

Mr. COLLINS. How much did the Secretary of State allot for repairs to the embassy at Mexico City?

Mr. O'CONNELL. Forty-seven thousand dollars, according to the report.

Mr. IRWIN. I do not know but that this was \$2,800 in excess.

Mr. COLLINS. I understand, but the gentleman from Wisconsin has made a statement which would indicate that this money which the ambassador spent, \$2,876.23, covered the entire expenditure for the embassy, when the record seems to indicate that a large amount was set aside, and the ambassador exceeded that amount by \$2,876.23.

Mr. STAFFORD. May I read to you from a letter from former Ambassador Sheffield to F. C. Walcott, dated March 19, 1930?

For a number of years the embassy building had been used as a chancery, which made it impossible for the ambassador and his family to live in it. The United States built a chancery the first year that I was in Mexico and the offices were moved into the new building. This left the embassy building owned by the United States unavailable for any purpose. I asked the department for funds to repair the building, which is one of the most beautiful embassy buildings we possess anywhere in the world. Such funds were not available and President Coolidge, as stated by Mr. Carr, asked Congress for a special appropriation. The appropriation proved to be quite inadequate, although every effort was made by my staff and myself to limit the cost as much as was consistent with good construction. It was impossible to determine in advance just what the cost would be, because not only was the building very much out of repair but in making certain changes difficulties were encountered which could not have been anticipated. I took the responsibility of having the builder go ahead, and when we came to the furnishing many of the old rugs, carpets, and pieces of furniture which we thought could be made available were found impossible. So Mrs. Sheffield and I advanced in the neighborhood of \$15,000 to complete the building and furnish it. Of this amount, the department has repaid a major proportion. Of course, this does not take into account a great many expenditures which we felt it advisable to make in order that the embassy should be more livable but which I have never expected and never asked the Government to repay. I shall be quite satisfied if this claim bill should go through and am exceedingly grateful to you for what you have done and the interest you have taken.

This led me to the conclusion that this ambassador did not go to any extremes in refurnishing the building, but in an exigent condition spent funds out of his own pocket to refurnish

the building so as to make it habitable, and that this amount does not reimburse him completely for the funds which he has spent.

Mr. O'CONNELL. And he does not ask for the difference.

Mr. COLLINS. The gentleman realizes that if this claim is allowed other officers occupying positions of similar responsibility will do the same thing. Their own discretion will be exercised in the repair of buildings and furnishing of buildings, and there will be no limit to the number of claims which Congress will be called upon to pay. They will be just as meritorious as this one.

Mr. STAFFORD. I recognize the danger which the gentleman points out, but I am appealing to the gentleman's reasonableness as a practical matter. Where a building has been used as a chancery and the chancery has been moved to other separate quarters, and the former embassy building is unsuitable for living quarters, I ask the gentleman if he would say those living quarters should remain in an uninhabitable condition until the slow-acting Congress can appropriate money to make them serviceable, and whether the ambassador under such circumstances, a high-grade man, should not be reimbursed for doing the practical thing?

Mr. COLLINS. What does the gentleman think about establishing such a policy? That is what I am interested in.

Mr. STAFFORD. I recognize the danger, but, when we appoint men of ambassadorial type, we should vest them with some authority to do this very character of work. Perhaps it should be a general law. But, a general authorization or appropriation was not available. A practical condition confronted the ambassador. Shall we allow that fine embassy building to stand idle or shall we allow him for his expense? If there were any question as to the reasonableness of the expenditures, then I would agree with the gentleman from Mississippi.

Mr. IRWIN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. IRWIN. I would simply say that as a rule when the departments make recommendations in this class of cases, they are usually very strict.

Mr. COLLINS. They are not strict at all.

Mr. IRWIN. They usually decide in favor of the Government. I feel in this particular case that the State Department has gone into this very thoroughly, and they make this as a positive recommendation.

Mr. COLLINS. I do not like this nudging-up process.

Mr. STAFFORD. If the ambassador had gone ahead on his own initiative, that would be one thing, but he first appealed to the department, and he found no funds were available or forthcoming. If the ambassador had gone ahead and recklessly expended money and then called upon the Government for repayment, that would be one thing, but, in this case he met an exigent condition.

Mr. COLLINS. Does the gentleman believe that if this claim is paid it will set a precedent for future claims of this type?

Mr. STAFFORD. It will set a precedent only that where an ambassador is confronted with this condition and he appeals to the department for funds to meet that condition, and an appropriation is not available because Congress is not in session or for some other reason, then the ambassador goes ahead and does the reasonable thing. I do not think it will be a dangerous precedent for us to recognize in this case.

Mr. COLLINS. In other words, the gentleman believes that the estimate was not sufficiently large?

Mr. STAFFORD. I really believe that.

Mr. COLLINS. I withdraw the reservation of objection, Mr. Speaker.

Mr. BACHMANN. Is there any objection to the amendment which I suggested?

Mr. COLLINS. I have no objection to it.

Mr. STAFFORD. There will be no objection to that.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,876.23 to reimburse James R. Sheffield, formerly American ambassador at Mexico City, for expenses personally incurred by him in the fiscal years 1925 and 1926 for the completion, remodeling, and furnishing of the Government-owned embassy building in Mexico City.

Mr. BACHMANN. Mr. Speaker, I move to strike out the last word. I want to congratulate the gentleman from Wisconsin on the good fight he made for the passage of this bill. It is very fine to see a Member of the House who pays so much attention to the private bills on the calendar make a fight for

the passage of a meritorious bill with the same vim and determination as he opposes certain bills, and I think he is entitled to congratulations. [Applause.]

Mr. STAFFORD. Mr. Speaker, I move to strike out the last two words. Does my good friend from West Virginia recall the amazement of the House on last Calendar Wednesday when I took the floor in advocacy of an additional amount of land for an airport in the State of Washington? My colleagues on this side, at least, were almost astounded to think I should rise in advocacy of such a proposition; but it was so meritorious and the opposition was so unwarranted that I felt called upon to change positions.

Mr. GREENWOOD. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GREENWOOD. Does the gentleman from Wisconsin at any time expect to become ambassador to Mexico?

Mr. STAFFORD. No. I have been in and out of Congress many times, and I will say for the benefit of my colleagues that when they go out they receive no consideration whatsoever. They are merely has-beens.

Mr. BACHMANN. Mr. Speaker, I offer an amendment. In line 6, after the word "City," strike out the word "for" and insert "and in full payment of all."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Page 1, line 6, after the word "City," strike out the word "for" and insert the words "and in full payment of all."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### MARY ELIZABETH COUNCIL

The next business on the Private Calendar was the bill (S. 3642) for the relief of Mary Elizabeth Council.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, reserving the right to object, is this the usual custom?

Mr. IRWIN. Yes. They are just giving this mother the same rights provided she shows dependency. There is a proviso in the bill that she must show dependency, and that is the usual custom in those cases.

Mr. O'CONNELL. How much is involved?

Mr. IRWIN. Just six months' pay.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay, Subsistence, and Transportation, Navy, 1929," to Mary Elizabeth Council, dependent mother of the late Lieut. Howard Folk Council, United States Navy, who was killed in a seaplane accident at Vineyard Haven, Mass., July 31, 1926, an amount equal to six months' pay at the rate said Howard Folk Council was entitled to receive at the date of his death: *Provided*, That it be shown to the satisfaction of the Secretary of the Navy that the said dependent mother was actually dependent on said officer, and the determination of such fact by the Secretary of the Navy shall be final and conclusive on the accounting officers of the Government.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### T. B. COWPER

The next business on the Private Calendar was the bill (S. 3664) for the relief of T. B. Cowper.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of T. B. Cowper for legal services rendered to the United States in connection with the extradition from Canada, in May, 1929, of one "Red" Stevens, alias "Ife" Stevens, charged with a violation of the United States narcotic law at Buffalo, N. Y., and to allow in full and final settlement of said claim not to exceed the sum of \$175. There is hereby appropriated, out of any money in the

Treasury not otherwise appropriated, the sum of \$175, or so much thereof as may be necessary, to pay said claim.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### VIDA T. LAYMAN

The next business on the Private Calendar was the bill (S. 3665) for the relief of Vida T. Layman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of Vida T. Layman for traveling expenses incurred by her in going from Arlington, Kans., to Southern Navajo Indian Agency, Ariz., and return in connection with her appointment as a teacher at the Indian agency, which was not consummated, and to allow in full and final settlement of said claim an amount not in excess of \$66.01. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$66.01 for the payment of such claim.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### OREGON SHORT LINE RAILROAD CO.

The next business on the Private Calendar was the bill (S. 3666) for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be authorized and directed to allow the Oregon Short Line Railroad Co., Salt Lake City, Utah, the sum of \$567.50 in payment of transportation charges on a shipment of 25 automobile-truck bodies from Fort Bliss, Tex., to Boise, Idaho, on Government bill of lading No. WQ/A-1068213, issued March 26, 1921, by the Quartermaster General's office at Fort Bliss, Tex. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$567.50 for payment of the claim.

Mr. ARENTZ. Mr. Speaker, I want to inquire whether this shipment was made before the railroads were turned back or afterwards. If so, it would make all the difference in the world.

Mr. COLTON. Mr. Speaker, I am sure that in either case it is a perfectly just claim, because the railroad accepted the freight on a regular Government bill of lading and delivered it at Boise, Idaho. The question arose as between the two departments as to the responsibility for making the mistake of sending a duplicate shipment, but no question arose as to the justness of the claim. The railroad accepted the freight in perfect good faith and delivered it in good condition.

Mr. ROWBOTTOM. Was it before the railroads were returned by the United States?

Mr. COLTON. I think it was afterwards.

Mr. PATTERSON. It must have been afterwards, because the railroads were turned back before March 26, 1921.

Mr. ROWBOTTOM. If they were, it makes a difference.

Mr. PATTERSON. I see the gentleman's point and I think it well taken, but I think the railroads were returned before March 26, 1921.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### AMERICAN STEAM TUG "CHARLES RUNYON"

The next business on the Private Calendar was the bill (S. 3726) for the relief of the owner of the American steam tug *Charles Runyon*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the claim of the Crew Transportation Corporation, owner of the American steam tug *Charles Runyon*, and/or the receiver and/or trustee of the said corporation against the United States of America for damages alleged to have been caused by collision between



said vessel and the U. S. S. *Traffic* on or about the 6th day of May, 1919, at or near Pier C, navy yard, Brooklyn, N. Y., may be sued for by the said owner and/or receiver and/or trustee in the District Court of the United States for the Eastern District of New York, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the said American steam tug *Charles Runyon* and/or receiver and/or trustee of aforesaid, or against the owner of the said American steam tug *Charles Runyon* and/or the receiver and/or trustee of said corporation, in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word.

I should perhaps have made some reservation of objection to this bill, although it is not material. I am rather in sympathy with the bill, but I would like to inquire whether there should not be some limitation in this bill with respect to the recovery of interest.

As I recall this case, I may be in error, the department has the right to settle claims arising out of damages occasioned by naval vessels up to \$3,000—

Mr. IRWIN. I think that is right.

Mr. STAFFORD. Upon an examination in this case the department found that the amount of damage was only \$966. The claimant, however, thought his claim aggregated more than \$3,000, or around \$3,500. There is a dispute between the claimant and the department as to the amount of damage involved, and I wish to inquire whether the chairman of the committee would have any objection to a qualifying clause after the word "costs," in line 5, page 2, "without any allowance for interest thereon prior to the entry of said judgment"?

Mr. IRWIN. I have no objection.

Mr. O'CONNELL. What is that amendment?

Mr. STAFFORD. An amendment so that no allowance of interest may be made before the entry of judgment.

Mr. O'CONNELL. They will have to prove their case in court.

Mr. STAFFORD. But here is a case where the department says the damage is \$966, and the claimant says it is over \$3,000. I have no objection to the case going to the court to determine the exact amount, and I do not want the claimant to be held up merely on the statement of the department as to the amount of damage.

Mr. O'CONNELL. Your amendment with respect to interest refers to the \$3,500 or the \$966?

Mr. STAFFORD. Whatever judgment is ascertained by the courts.

Mr. O'CONNELL. There would be no interest allowed?

Mr. STAFFORD. There would be no interest allowed prior to the entry of the judgment.

Mr. O'CONNELL. I have no objection to that.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. STAFFORD: Page 2, line 5, after the word "costs," insert "but without any allowance for interest thereon prior to the entry of such judgment"; and on page 2, line 11, after the word "principles," insert the words "other than as above limited."

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### CONVEYANCE OF CERTAIN LAND TO DOUGLAS COUNTY, OREG.

The next business on the Private Calendar was the bill (S. 1203) authorizing the Secretary of the Interior to convey certain lands to the county of Douglas, Oreg., for park purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I believe this is a bill about which the gentleman from Oklahoma [Mr. McClintic] said something to me. Did the gentleman have some understanding with the gentleman from Oklahoma about this?

Mr. HAWLEY. I have never had any understanding with the gentleman about it. This bill proposes to give to Douglas County, so that it may be used by a number of organizations like the Boy Scouts, the Campfire Girls, and various social and fraternal organizations, 160 acres of land where they may have the exclusive rights to hold their picnics, so long as they use it for such purpose and no attempt is made to sell it.

Mr. COLLINS. Mr. McClintic wanted to know if the Government gave the land to this county, if the county would then collect taxes on it from the Government.

Mr. HAWLEY. There are no lands in Douglas County on which Douglas County or any other county or any other agency collects taxes.

Mr. COLLINS. This is not one of the counties that has been collecting taxes from Government property?

Mr. HAWLEY. There is no county in Oregon that is collecting any taxes from the Government.

Mr. COLLINS. The gentleman from Oklahoma [Mr. McClintic] said that upwards of \$10,000,000—

Mr. HAWLEY. I think the gentleman is in error about that. This is one of the counties to which the gentleman referred.

Mr. PATTERSON. Reserving the right to object, I think this is a good bill and one that will make for good in this county.

Mr. COLLINS. I withdraw the reservation of objection.

Mr. O'CONNELL. Is not this the bill to which the gentleman from Oklahoma has been consistently objecting?

Mr. HAWLEY. I think not.

Mr. ARENTZ. If it is, I want to say there is no justification for it.

Mr. O'CONNELL. If so, I shall ask that the bill be passed over.

Mr. ARENTZ. I hope the gentleman will not do that.

Mr. HAWLEY. The bill to which the gentleman has been objecting is one providing for the care and control of lands with respect to fire, trespass, and other protection. I have never heard the gentleman had any objection to this bill. I think this is the first time it has been up.

Mr. GREENWOOD. Is this tract of 160 acres to be used for park purposes?

Mr. HAWLEY. Just for park purposes.

Mr. GREENWOOD. Are there any natural resources, timber, or minerals?

Mr. HAWLEY. There may be some timber on it, but no minerals of any kind. There would have to be some trees on it for it to be useful for park purposes.

Mr. McClintic of Oklahoma. Mr. Speaker, reserving the right to object, is this tract of land in any of the public lands formerly owned by a railroad company?

Mr. HAWLEY. I can not answer that question, but I would think not, otherwise reference would have been made to that particular act.

Mr. McClintic of Oklahoma. Is it in any of the 18 counties that are now the beneficiaries—

Mr. HAWLEY. It is in Douglas County; yes.

Mr. McClintic of Oklahoma. Douglas County, if I remember correctly, has already received \$2,292,659.19 from the Government because of a method that was referred to by the Interior Department as taxation. However, in truth, it should be called assessment rather than taxation.

Douglas County, if I remember right, has received more than any other county in the United States in public lands. In view of that fact I do not think that this legislation ought to be enacted.

Mr. HAWLEY. I think the gentleman is in error about the county receiving so much land. This proposes that certain organizations, like the Rotary Club, the Campfire Girls, the Boy Scouts, and other social and fraternal organizations, may have a place to hold their meetings outdoors.

Mr. McClintic of Oklahoma. I do not think this ought to be done.

Mr. ARENTZ. If the gentleman will yield, if he places the objection upon that ground, why not insert a provision that they pay \$1.25 per acre, which would amount to a very small sum?

Mr. McClintic of Oklahoma. I think it ought to be investigated a little further as to the timber and the mineral rights.

Mr. HAWLEY. Those are reserved.

Mr. GREENWOOD. Section 2 of the bill takes care of that; the oil, coal, and other minerals are reserved.

Mr. McClintic of Oklahoma. There are 18 counties in Oregon, and they have received up to the time that I made reference to it on the floor a little better than \$9,000,000—at the last report it was close on to \$10,000,000. Unless a stop is put to this method it is going to bring about a bad situation in the country. I do not think this kind of legislation ought to be enacted into law.

Mr. GREENWOOD. I concur with the gentleman, and there is a good deal in what he says. But here is a bit of land that can be donated to be used for fraternal organizations which is now standing idle. They can use this for special purposes.

Mr. MCCLINTIC of Oklahoma. I would assume the same position as the gentleman, but in view of the fact that five times this session this subject has been brought up for the consideration of the House, and apparently there is no attempt on the part of the committee that has jurisdiction to stop it I feel that I must object.

MATTHEW EDWARD MURPHY

The next business on the Private Calendar was the bill (H. R. 576) for the relief of Matthew Edward Murphy.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Matthew Edward Murphy, as compensation for injuries sustained by him while working at the Coast Guard depot, Arundel Cove, Md., as a civilian employee of the Government on the 9th day of July, 1915.

With the following committee amendment:

Page 1, line 5, strike out the figures "\$5,000" and insert "\$1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HENRY A. KNOTT & CO.

The next business on the Private Calendar was the bill (H. R. 9279) for the relief of Henry A. Knott & Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HOOPER). Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,700 to Henry A. Knott & Co., in full compensation against the Government for unpaid balance under contract of February 24, 1928, for the construction of infantry battalion barracks and utilities at Camp Meade, now Fort George G. Meade, Md.

Mr. BACHMANN. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 6, strike out the word "compensation" and insert the words "settlement of all claims."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. BACHMANN. Mr. Speaker, I think there ought to be another amendment to this bill.

The SPEAKER pro tempore. Before that can be done the proceedings will have to be vacated.

Mr. BACHMANN. I ask unanimous consent that the proceedings whereby the bill was ordered to be engrossed and read a third time, passed, and a motion to reconsider laid on the table be vacated.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BACHMANN. I offer the following amendment.

The Clerk read as follows:

Page 1, line 10, after the word "Maryland," insert:

*Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

Mr. BACHMANN. Will the first amendment that I offered remain in the bill?

The SPEAKER pro tempore. That remains in the bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LOUIS NEBEL & SON

The next business on the Private Calendar was the bill (H. R. 3960) for the relief of Louis Nebel & Son.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to Louis Nebel & Son, of Sturgeon Bay, Wis., the sum of \$442.46, out of any money in the Treasury not otherwise appropriated, in full settlement for the cost of 10 pilings, 10 tie-rods, and labor used in the alteration of the boat room and rebuilding of the launchway at Sturgeon Bay Canal Coast Guard Station.

Mr. ARENTZ. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Line 9, strike out the period, insert a colon and the following:

*Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

PAYMENT OF AWARD TO CERTAIN EMPLOYEES

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 587, H. R. 7874, to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to return to Calendar No. 587. Is there objection?

Mr. O'CONNELL. Mr. Speaker, I shall have to object. This is back of the star. A number of gentlemen have been waiting around all afternoon to have their bills reached. I have some bills that I am interested in myself that are back of the star, which I would have liked to have passed, but I have not the temerity to propose it.

Mr. ANDRESEN. This is the bill affecting 4,000 employees in the Northwest, which was brought up here last Friday, and to which one objection was made. I think that objection is withdrawn. It is an important bill, and this is the only opportunity we will have for the consideration of this bill at this session of Congress.

Mr. IRWIN. Is the gentleman who objected to the bill satisfied to have it passed now?

Mr. ANDRESEN. I told him that I would bring the matter up on the next Private Calendar day, and he said that he would give the bill further study, and that if he had objections he would present them.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I do not think that we can let any bills back of the star be considered today. It is not fair to the other Members of the House or to the majority leader. I object.

W. F. NASH

The next business on the Private Calendar was the bill (H. R. 3159) for the relief of W. F. Nash.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. F. Nash, of San Pedro, Calif., the sum of \$1,212.66, in full settlement of all claims against the United States for damages resulting to his home caused by heavy gun firing at Fort McArthur, San Pedro, Calif., on October 5, 1928.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.



## ROLAND ZOLENSKY

The next business on the Private Calendar was the bill (H. R. 1889) for the relief of Roland Zolensky.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object. I have this bill down for objection. I can not find any justification for this claim. The Briggs Loading Co. had a contract to furnish certain ammunition to the Government. They were making tests. This child picked up a grenade which this company fired in making these tests, and was injured later by the grenade exploding. I fail to recognize any responsibility on the part of the Government, and therefore can not justify the payment of the claim. It was not even picked up on Government property.

Mr. COCHRAN of Missouri. The report says that the Supreme Court of Wisconsin is the one that placed the responsibility on the Government. It seemed to me that we should consider the decision of the court.

Mr. COLLINS. The War Department, in a report to the committee, says that the United States was not a party to that suit, and that all the facts in behalf of the United States were not presented to the court. The statement of the court referred to by the gentleman is mere dictum.

Mr. COCHRAN of Missouri. The Government of the United States could not be joined without its permission.

Mr. COLLINS. No; and the Government did not put on any testimony.

Mr. COCHRAN of Missouri. The Government could not be sued without its consent, which explains why the Government was not named.

Mr. COLLINS. I have not objected to any meritorious claims bills where the limits were within the amount fixed by the committee, but I fail to see why we should take it upon ourselves to pay some one for injuries caused by the negligence of a private corporation.

Mr. IRWIN. In this particular instance the contract required the Government to examine all of those shells, even if the loading company did use them. It was a part of the contract of the Government. They did not do it in this case and, therefore, the Government is liable.

Mr. COLLINS. I do not find that in the letters from the War Department.

Mr. IRWIN. The gentleman will find that on page 3 of the report. The Supreme Court has ruled that the Government is liable in this case.

Mr. COLLINS. I do not find that.

Mr. IRWIN. Then I can not read it correctly.

Mr. COLLINS. It says that the contract held by the Briggs Loading Co. required that company to make tests of these loaded shells and it appears that the contractor often conducted separate and distinct tests in which the Government had no responsibility and, therefore, there is no way of determining whether the grenade which caused the injury to Zolensky was one fired under the control of the United States inspector, or one that was fired by the contractor in making the tests.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. COCHRAN of Missouri. I notice in the report here from the captain in the Ordnance Department that—

Mr. COLLINS. Let me finish first. I read:

In view of the fact that it is not shown that the Government was responsible for the accident, I am unable to recommend favorable consideration of the bill.

Mr. IRWIN. As a matter of fact, this work was performed partly by Government employees and partly by the Government inspector. From that I assume that the Government should assume responsibility.

Mr. COLLINS. In the letter that the gentleman referred to it is stated:

It appears that on or about November 25, 1918, a boy named Roland Zolensky came into possession of an unexploded rifle grenade which had been fired across the Milwaukee River at Milwaukee, Wis., in proof firing at the Briggs Loading Co. This company was at that time engaged in making rifle grenades for the United States Government. Zolensky took the grenade home, where he removed the detonator and placed it upon a stove where it exploded, resulting in his injury.

I would like to see this child compensated for the injury he has sustained, but I do not think we ought to pay a claim where there is no Government responsibility for the injury.

Mr. BACHMANN. Is it not claimed that some of the officers were down at the fire practice?

Mr. COLLINS. I do not understand the significance of the inquiry.

Mr. FITZGERALD. Mr. Speaker, I would like to call the attention of the gentleman from Mississippi [Mr. COLLINS] to the legal proposition, which is often overlooked, and that is that whereas usually the owner of the property may escape responsibility for damages arising out of work on his property by employing an independent contractor, he can not relieve himself from such liability where the work to be done is inherently dangerous to others. For example, if I should undertake to paint a building through the employment of an independent contractor, the painting of a building not being in itself especially dangerous, I would not be liable to one injured by reason of the breaking of the contractor's ladder or other casualty. But under the practice and under the law in the various States, if I employ a contractor on a matter that is patently dangerous—that is, such a matter as tearing down the high walls of a building where people are passing on a public street—and that contractor, in carrying out the work, which in itself is dangerous, injures one, I, as the owner of the property, am not excused from liability, but must respond in damages. Here is the Government, in the place of the owner, employing one in a transaction which in itself is hazardous. The Government has an inspector there, which makes it even a stronger case than that usual between individuals. So I ask the gentleman from Mississippi to construe this matter strictly as a legal proposition, that the Government is in a position of responsibility greater than is usual between an owner with a contractor to the party injured, because the Government has an inspector on the job. Care should have been taken to collect all the grenades or bombs. Such articles have a peculiar fascination for young and old alike, and it is highly reprehensible for the Government not to take precautions against these horrible instruments so calculated to kill and maim from being gathered by children or others as curiosities or souvenirs.

Mr. COLLINS. There are two answers to the statement made by the gentleman from Ohio [Mr. FITZGERALD]. First, after the accident occurred a suit was instituted. It was thought then that the Briggs Loading Co. was liable for damages, and this company was sued. The case went to the Supreme Court of Wisconsin. No one seemed to think then that the United States was responsible either directly or indirectly, but that the Briggs Loading Co. was liable.

Second, no reputable concern would undertake a contract of this hazardous nature without protecting itself with liability insurance or in some other well-known way. The insurance would be charged up in the cost of the shells or the making of the shells. So the Government has been charged with this item of expense already.

Mr. FITZGERALD. It is no defense to this claim against the Government to show that the contractor was liable or thought to be liable for the damages. In this case, though, there was undoubtedly liability on the part of the contractor, still there is the moral responsibility of the Government, responsible for the construction of these deadly weapons. The Government contrived and supervised the work, which was inherently dangerous. The Government is not relieved from culpability merely because the contractor is also liable. This is a stronger case than the ordinary case between individuals.

As to the second suggestion, if it is pertinent, the contractor evidently did not carry liability insurance in this case, and in such work, usually let after competitive bidding, there is every inducement to economy, especially on the part of an irresponsible contractor, who has nothing to lose.

Mr. COLLINS. I will answer the gentleman by asking him this question: Is there anything in this record showing that the Government was negligent?

Mr. FITZGERALD. In this case the whole transaction was inherently hazardous. Precautions should have been taken by the Government to prevent the bombs falling into the hands of curious people who could not know their dangerous character. The Government is clearly at fault, as it has been so often, in leaving dangerous unexploded shells strewed about on grounds open to the public and frequented by children, many of whose pitiful injuries have been detailed on the floor of this House.

It is not necessary that there be a specific act of negligence. There could not be on the part of the Government if it has an independent contractor, but under the ordinary law it could not escape liability.

Mr. COCHRAN of Missouri. In all fairness I think we should give some attention to the decision of the high court of the State of Wisconsin. If the gentleman will read the decision of the court, he will see that the grenades were formerly sent to Aberdeen, Md., but in this instance, in order to expedite the

handling of them, the Government induced this corporation to erect this bombproof place where tests were to be made, and the court says in its decision it is undisputed that it was the duty of the Government inspectors and a part of the work of the inspectors in testing to collect unexploded grenades or duds, as they are called. I submit in all fairness that in considering a case of this character we should give some consideration to the decision of the supreme court of a State.

Mr. BACHMANN. Will the gentleman yield for a question?

Mr. COCHRAN of Missouri. I yield.

Mr. BACHMANN. Does the gentleman think this decision of the Supreme Court of Wisconsin in this case is a proper decision?

Mr. COLLINS. It does not bind the Federal Government, because the Government was not a party. No testimony in behalf of the Government was introduced.

Mr. BACHMANN. Does the gentleman know what the Supreme Court of Wisconsin held was the cause of this accident?

Mr. COCHRAN of Missouri. I did not read the opinion in full.

Mr. BACHMANN. What was the cause of the accident to the boy—putting the grenade on the stove?

Mr. COCHRAN of Missouri. I take it that was the cause of the accident.

Mr. BACHMANN. What was the cause of the boy losing his fingers?

Mr. COCHRAN of Missouri. The explosion of the grenade, I would say.

Mr. BACHMANN. And how was that caused?

Mr. COCHRAN of Missouri. No doubt by the boy placing it on the stove.

Mr. BACHMANN. Now, if the gentleman will look at the decision of the supreme court, he will see the supreme court found that something else was the cause of the accident.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. I object, Mr. Speaker.

H. F. FRICK AND OTHERS

The next business on the Private Calendar was the bill (H. R. 9659) for the relief of H. F. Frick and others.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, we are going pretty far in recognizing liability when we seek to pay discharged servants of the Government their salaries while they are out of employment.

Mr. RAMSPECK. If the gentleman please, this was a case that grew out of some dissension in the Atlanta Federal Prison. There was a great deal of dissension, and these men were indicted by the Federal grand jury on the testimony of inmates of the prison. They were innocent, and the cases were disposed of, and the Attorney General and Mrs. Willebrandt, the Assistant Attorney General, have both approved this legislation, because the men were absolutely innocent of any wrongdoing. They were removed from their posts without any real basis for that removal.

Mr. STAFFORD. But the Government does not owe them continual employment.

Mr. RAMSPECK. That is true.

Mr. STAFFORD. While they were out of employment they were able to be employed in some other character of work.

Mr. RAMSPECK. The report will show that neither one of them was able to earn anything during that time.

Mr. STAFFORD. Well, that is what the report shows.

Mr. RAMSPECK. They made affidavits to that effect.

Mr. STAFFORD. They were reinstated in the Government employ. When any person is temporarily laid off for some reason or other, then the servant of the Government is going to have the right to full compensation for the time he is laid off.

Mr. O'CONNELL. But these men were cleared, I will say to my friend.

Mr. STAFFORD. But there is no obligation that requires the Government to pay them.

Mr. O'CONNELL. There was no moral turpitude shown on their part.

Mr. STAFFORD. But it was within the province of the warden to discharge them or not. He may have committed an error of judgment in discharging them.

Mr. IRWIN. When these men were unjustly discharged by malicious accusations they were discharged for a certain length of time and they could not find work. They were absolutely down and out, and, naturally, there was a stain on them afterwards.

Mr. STAFFORD. The facts do not support the gentleman's statement. The gentleman is rather conservative, but in this

instance I think I can call him to account, that he is not within the letter of the facts.

Mr. IRWIN. The records show they were unjustly accused.

Mr. STAFFORD. But as to not being able to earn any compensation while they were out, all of these affidavits are in the same verbiage. They make the same character of claim "Increase of compensation \$20 per month"—what does that mean?

Mr. RAMSPECK. At the time this thing happened the Government was paying all of its employees an additional \$20 per month. It was really a part of their salary, but the basic salary was not increased. Every employee in the civil service was given an increase during the war period of \$20 a month. It seems to me that the principle involved in this thing is the same as is involved in the case of a contest of a Member's seat in this House. If the gentleman or myself had a contest after the next election, and our opponents were ultimately given a certificate and sworn in here and we later won the contest, we would be paid our salary, although we were not permitted to discharge the duties of the office pending the contest. These men were in exactly the same position. They were ready and willing to work. They were unjustly indicted by a grand jury and exonerated by the court.

Mr. STAFFORD. I notice how resourceful the gentleman is in trying to find a parallel case in support of his contention. I notice in the case of Mr. James E. Dean, you cut down the allowance from \$889.08 to \$422.08 because he earned the difference during the interim.

Mr. RAMSPECK. Yes. He was more fortunate than the others.

Mr. STAFFORD. However, in the case of Mr. Owens, the report shows he earned \$164 which you did not deduct. I have not examined the other instances to see whether they were employed and earned something on the side or not.

Mr. RAMSPECK. I think the deduction has been made on account of Mr. Owens.

Mr. STAFFORD. The deduction for Mr. Owens has not been made according to my reading of the report on page 3. I will direct the attention of the gentleman to the following:

I further certify that I tried to get employment and succeeded in securing temporary employment with the Southern Railway Co. and received a total of \$164 for my services.

Mr. RAMSPECK. I am perfectly willing to accept an amendment to that effect.

Mr. STAFFORD. Oh, there is no question but that the gentleman is willing, if it gets past the objectionable stage. I do not like the bill. I do not think that because an officer makes an error—

Mr. COLLINS. I will say to my friend that I tried to find objection to the bill and I could not.

Mr. STAFFORD. If the gentleman tried to find objection and could not, I will withdraw the objection that I have found.

Mr. O'CONNELL. Will the gentleman permit the usual attorneys' fees amendment?

Mr. RAMSPECK. Absolutely.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3472) be considered in lieu of the bill H. R. 9659.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the Senate bill (S. 3472), as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To H. F. Frick, the sum of \$371.29; to A. J. Duncan, the sum of \$841.23; to H. C. Demoss, the sum of \$423; to Robert M. Massey, the sum of \$941.78; to John H. Owens, the sum of \$889.08; to James E. Dean, the sum of \$422.08; said sums representing salary lost by them during suspension while employees of the United States Penitentiary, Atlanta, Ga.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: In line 9, strike out "\$889.08" and insert in lieu thereof "\$725.08."

The amendment was agreed to.

Mr. O'CONNELL. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.



The Clerk read as follows:

Amendment by Mr. O'CONNELL: Page 1, line 12, after the word "Georgia," insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

R. W. SELVIDGE

The next business on the Private Calendar was the bill (H. R. 10608) for the relief of R. W. Selvidge.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, my view may not be the correct one, but I predicate my provisional and, perhaps, ultimate objection upon these facts: The members of the Reserve Officers' Training Corps service who are students at our universities are not in the military service of the United States Government. The military service performed at the universities where Reserve Officers' Training Corps service is given is with the full approval of the universities. It is a part of the training of those universities, and the grounds where the training takes place are grounds under the control of the universities. While these Reserve Officers' Training Corps members were drilling a grenade was thrown on the grounds under the control of the university. The claimant picked up the grenade and suffered an injury. The injury was the result of the neglect of the University of Missouri, because it did not properly fence, safeguard, and put up notices around the grounds. The mere fact that the National Government had some officers there instructing the men does not impose an obligation for reimbursement on account of injuries occasioned by the neglect of the university officials in properly safeguarding the grounds no more than the National Government would be required to answer in damages if there was an injury at the St. John's Military Academy, 25 miles west of Milwaukee, where they have military officers giving instruction in military tactics.

Mr. IRWIN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. IRWIN. I will simply state that in this instance the War Department had an investigation made by its own board. While they did not admit liability in the case, they waived that particular feature, and because the court which was held there was held under the auspices of the War Department, it would appear that therefore they were liable.

Mr. STAFFORD. This is a direct liability on the University of Missouri. It was occasioned by a service they were performing voluntarily. Members of the Reserve Officers' Training Corps service are never a part of the enlisted force of the Government of the United States. Even after they have their five weeks' training upon graduation they do not become a part of the enlisted force of the Government of the United States but are merely volunteers.

Mr. NELSON of Missouri. If the gentleman will permit—

Mr. STAFFORD. I will be glad to have the viewpoint of the gentleman from Missouri.

Mr. NELSON of Missouri. These grounds are about 3 miles from the University of Missouri. They are under the charge of the colonel who is detailed as commandant, together with the other officers who afford military instruction, as is provided at land-grant colleges. The colonel then in charge had neglected to have the grounds posted as is required, and while I am sure my colleague is entirely sincere I believe he has confused the Reserve Officers' Training Corps student body with the Army officers who are detailed to afford military instruction and who are in charge of these grounds.

Mr. STAFFORD. The military officers who are assigned to our military academies do not take charge of the grounds. The grounds are under the control of the military academies. They are merely adjuncts; they are virtually subordinates of the academies while they are there, assigned for a certain purpose. It is the military academies which are charged with properly

safeguarding the grounds and not the National Government. Therefore I feel constrained to object.

Mr. NELSON of Missouri. Will the gentleman withhold his objection for a moment?

Mr. STAFFORD. Yes.

Mr. NELSON of Missouri. The military instruction is given by the Federal Government; the instructors are paid by the Federal Government; and that being so, would they not be the agents of the Federal Government in looking after these grounds?

Mr. STAFFORD. That is a question which I revolved in my mind before I came to the floor, and I have given this case quite a bit of side thought since I first examined it.

Mr. NELSON of Missouri. The National Government has never suggested anything different; in fact, as the chairman has stated, this was the only way to go at it.

Mr. SLOAN. Is it not a fact that those officers have full control of those grounds, and that if there are any obstructions on those grounds the officers have the right to remove them, and it is their duty to do so?

Mr. NELSON of Missouri. That is absolutely true.

Mr. SLOAN. It seems to me that if any obstructions or bombs were placed on the grounds nobody could prevent the officers from removing them.

Mr. STAFFORD. The grounds are under the direct control of the university or school authorities. I will examine this further; but, Mr. Speaker, for the time being, I will have to object.

WILLIE LOUISE JOHNSON

The next business on the Private Calendar was the bill (H. R. 4101) to extend the benefits of the employees' compensation act of September 7, 1916, to Willie Louise Johnson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I have some doubt as to whether this bill should be passed. The bill seeks to recover damages for the death of a man by the name of Johnson. The bill has been introduced on behalf of the widow.

This man was injured while working on a tank at the navy yard at Norfolk. The case was submitted to the Employees' Compensation Commission and they turned it down and their findings showed that the man died from natural causes.

It is true that his head was injured while working on this tank. It is true he went on and engaged in his employment after the injury, and it is true he died rather suddenly four days afterwards; but the doctor for the Navy Department held it was from nephritis of the intestines and gave that as the cause of death. Later, a coroner's jury found that the injury was the cause of his death.

After the Employees' Compensation Commission had gone into this case and turned it down, and inasmuch as the doctor whom he consulted or who treated him after the injury held he died from natural causes and that the injury in no way was connected with his death, I can not see how there is any responsibility on the Government.

Mr. LANKFORD of Virginia. If the gentleman will give me the opportunity, I think I can explain that. The gentleman has gone very fully into this matter and I do not criticize the gentleman for reaching the conclusion he has from a reading of the report. I wish, however, the gentleman might have an opportunity to read the report of the coroner's inquest in this case.

Mr. BACHMANN. I will say to the gentleman that the committee having these bills in charge have before them only the information contained in the report and in the bill and if the report and the bill are wrong, it is not our fault.

Mr. LANKFORD of Virginia. The situation in this case is this: This man had worked in the navy yard within a few days of 25 years. He had consulted a doctor three times during his lifetime. He was hurt by this trip hammer and died within four days of the time he was hurt.

Mr. BACHMANN. But he worked in the meantime following the injury.

Mr. LANKFORD of Virginia. He went back the second day. He had some very important work there and he went back the second day, but the following day he could not go back. He stayed at home and the testimony at the coroner's inquest showed he was suffering agony. He went back to the yard to give some directions about some important work he had and then reported to the dispensary and died the second day afterwards. I know this man's wife, who is a very fine woman and she stated in her testimony that she treated him for these three days while he was in this agony. The doctor in the case made a wrong diagnosis. He diagnosed the case as hysteria, when he



was dying from another cause. The man had never had any trouble before this and he died four days after receiving this blow on the kidneys. It was not the blow over the head that killed him, but the blow over the kidneys.

Mr. BACHMANN. The report does not show anything about a blow over the kidneys.

Mr. LANKFORD of Virginia. But the coroner's report shows that.

Mr. BACHMANN. I will say to the gentleman that if this man's death was caused by a blow over the kidneys, that is just as foreign to this report and bill as a claim for some other person, and if there are some additional facts, they should be stated.

Mr. LANKFORD of Virginia. How can I help that? The bill does not say anything about the nature of the blow, and the physician could only see the blow on the head, and in this case he made a wrong diagnosis.

Mr. BACHMANN. I will be compelled to object unless the gentleman will agree to let this bill go back to the committee and have it come out with a proper report, so we may understand all the facts in the case. That may change the situation. I do not want to oppose a meritorious bill, but as it is now and as far as this report goes, I am constrained to object.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. I object, Mr. Speaker.

FLOSSIE R. BLAIR

The next business on the Private Calendar was the bill (H. R. 10490) for the relief of Flossie R. Blair.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Flossie R. Blair, of Tampa, Fla., the sum of \$147.62, out of any money in the Treasury not otherwise appropriated, in full compensation for stenographic services rendered to the United States in the matter of investigation conducted by the Government of the collision between the U. S. S. *Tampa* and M. V. *Solitaire*, \$60.62; and for per diem attendance and stenographic services in behalf of the United States in the case of income-tax returns investigation of W. E. Lee, September and October, 1926, amounting to \$87.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CASEY M'DANNELL

The next business on the Private Calendar was the bill (H. R. 644) for the relief of Casey McDannell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, from reading the report in this case, I thought the claimant was forced to the extreme in finding any basis for a claim aside from the fact that he fed a congressional party up there and got only \$1 a meal instead of \$1.50. It seems that this was thought to be some reason for getting a claim through.

Mr. JOHNSON of Washington. Let me explain to the gentleman. It will take only a minute.

Mr. STAFFORD. It will take longer than a minute, but I will be pleased to give the gentleman as much time as he wants.

Mr. JOHNSON of Washington. I think one statement will make it clear. The gentleman will notice from the report that there is a long letter from the department with the claims and the offsets. Casey McDannell had the dining-car and restaurant privileges on the Alaska Railroad for a considerable period of time. During the period of his contract the Government opened what is known as the Curry Hotel, named for the gentleman from California [Mr. CURRY], who is very active in regard to matters in Alaska as well as matters in his own district. This involved some losses to McDannell, and on top of all this there was a change in the management of the railroad at this critical time.

Now, with regard to the congressional party—

Mr. STAFFORD. If the gentleman will permit right there, does the gentleman think that just because there was a change in the arrangement for the feeding of passengers on the Alaska Railroad that the Government is under any obligation to reimburse the owner of the buffet service on the railroad for loss of patronage?

Mr. JOHNSON of Washington. No; only partially. Every member of the congressional party paid his own way and paid for his own meals.

Mr. STAFFORD. The congressional party paid for their own meals. Does the gentleman claim that they were a \$1.50-a-meal party or only \$1-a-meal party? The claimant says that

he prepared a meal that would cost \$1.50, and the manager of the railroad said that \$1 a meal was good enough.

Mr. JOHNSON of Washington. The gentleman is reading from the letter. What happened was this: There was a congressional party paying its own way, asking no favors of anybody, but there were a large number of other passengers in the party. This man who had the concession was told to prepare a dollar-and-a-half meal, and he made preparations for that. He filled his refrigerator. It is not easy to arrange meals for a large crowd in Alaska. Then he was told that the price was to be a dollar a meal.

Mr. STAFFORD. Why was the price changed; did they think that the congressional party was a dollar-a-meal party and not a dollar-and-a-half party?

Mr. STRONG of Kansas. It was because of the fact that we had arranged for a certain number of meals. We stopped at Curry and Fairbanks, and part of the passengers got off the train and took their meals at other hotels. Consequently, this man was left with a large amount of food on his hands that was lost to him.

Mr. STAFFORD. Has the gentleman from Kansas a personal knowledge of those facts?

Mr. STRONG of Kansas. Yes; I and the gentleman from Washington were both there and paid the full market price. At Curry and Fairbanks we got other entertainment for which we paid, and this man did not get the benefit of it.

Mr. STAFFORD. Was this a 3-meal-a-day party or a 2-meal-a-day party or a 4-meal-a-day party?

Mr. STRONG of Kansas. We had three meals a day and paid for them, but we did not buy them all in the dining car.

Mr. STAFFORD. In view of the fact that this is a compromise, that the man claimed \$1,370, and the Government had a claim against him, and this is a compromise for \$500, I will offer no objection. I thought it was rather a petty affair to cast some reflection on the congressional party. I withdraw the objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,370.25 to Casey McDannell, of Anchorage, Alaska, in full settlement of certain claims of said Casey McDannell against the Alaska Railroad arising in connection with a contract for buffet and dining car service on said railroad.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized to allow and pay to J. Casey McDannell from the funds of the Alaska Railroad the sum of \$500 in full settlement of his claims in connection with his contracts for buffet and dining car service on said railroad, and such settlement shall be effective to relieve him of any counterclaim by the Alaska Railroad against said J. Casey McDannell for hospital service up to January 11, 1930."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. JOHNSON of Washington. Mr. Speaker, I will take one minute to say that the Delegate from Alaska [Mr. SUTHERLAND] was unable to be here this afternoon to look after this bill. I also want to say that my friend and colleague from Kansas [Mr. STRONG] is mistaken in his statement that I was in the congressional party that visited Alaska.

GILBERT GROCERY CO., LYNCHBURG, VA.

The next business on the Private Calendar was the bill (H. R. 6113) for the relief of Gilbert Grocery Co., Lynchburg, Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Reserving the right to object, I want to ask what time this transaction took place; was it during the war period?

—Mr. IRWIN. It was in 1927; it was not during the war period.

Mr. PATTERSON. I see that the materials referred to were 72,000 pounds of potatoes.

Mr. WOODRUM. Does the gentleman want a brief explanation of this bill?

Mr. PATTERSON. I would like to have one.

Mr. WOODRUM. The Quartermaster General's office asked for bids for 72,000 pounds of Irish potatoes. There were two bids sent to the Quartermaster General's office, one by H. B. Walker & Sons, who bid \$2.66, and one by the Gilbert Grocery Co., that meant to bid \$2.82. By a typographical error their bid was \$1.82. The bid was accepted and the potatoes were furnished. The error was not discovered until the voucher was



sent to the Gilbert Grocery Co. At that time they discovered the typographical error and called it to the attention of the Quartermaster General's office. The quotation for potatoes on the market that day was \$2.66.

Mr. COLLINS. And the bill figures the item at \$2.66, which is the lowest bid.

Mr. WOODRUM. The War Department and the Quartermaster General's office investigated the matter and found that those facts were correct, and that it was a typographical error, and recommended the payment of this difference.

Mr. PATTERSON. Mr. Chairman, I withdraw my objection. I thought perhaps it had been in war time. I happen to have been working in connection with this kind of work in war time, and some of the companies seem to deliberately make this kind of mistakes.

Mr. IRWIN. This was in time of peace.

Mr. PATTERSON. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gilbert Grocery Co., of Lynchburg, Va., the sum of \$720 on account of a mistake made by said Gilbert Grocery Co. in a certain bid for furnishing 7,200 pounds of potatoes for use of the United States Army at Fort Bragg, N. C.

With the following committee amendments:

Line 6, strike out "\$720" and insert "\$604.80."

Line 8, strike out "7,200" and insert "72,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### EXEMPTING FROM TAXATION PROPERTY OF SONS OF THE AMERICAN REVOLUTION

The next business on the Private Calendar was the bill (H. R. 3048) to exempt from taxation certain property of the National Society Sons of the American Revolution in Washington, D. C.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object, and I shall have to object until we find out the attitude of the District Commissioners on legislation of this kind.

Mr. STAFFORD. Mr. Speaker, I objected to this bill once before. I think we are establishing a most objectionable practice if we invite patriotic and charitable associations to Washington to have their headquarters here with the inducement to exempt them from taxation. All manner of associations will come to Washington and ask to be relieved of taxation. It is true we did it in one instance, in the case of the Daughters of the American Revolution.

Mr. COLLINS. The United States itself pays taxes here.

Mr. STAFFORD. I think it is very questionable to extend the practice.

Mr. O'CONNELL. Does the gentleman say that we once exempted the Daughters of the American Revolution?

Mr. STAFFORD. Yes.

Mr. O'CONNELL. Then why should we not exempt the Sons of the American Revolution?

Mr. STAFFORD. That is a bad practice.

Mr. PATTERSON. That is one difficulty of establishing such a precedent.

Mr. COLLINS. Mr. Speaker, I object.

#### NORTHERN TRUST CO.

The next business on the Private Calendar was the bill (H. R. 305) for the relief of the Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers' Cooperative Dairy & Produce Co., a corporation, bankrupt.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Mr. Speaker, in view of the fact that the gentleman from North Dakota [Mr. BURNESS] is on an official visit to Iceland and is not here to explain the bill, I object.

#### JOHN H. ANDRUS

The next business on the Private Calendar was the bill (H. R. 11899) to make a correction in an act of Congress approved February 28, 1929.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Chair calls attention to the fact that a similar Senate bill is on the Speaker's table.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the Senate bill be considered in lieu of the House bill.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the act entitled "An act to recognize the high public service rendered by Major Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, is hereby amended by striking out the name "James A. Andrus" wherever it appears therein and inserting in lieu thereof "John H. Andrus."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The bill H. R. 11899 was laid on the table.

#### JENNIE BRUCE GALLAHAN

The next business on the Private Calendar was the bill (H. R. 2525) for the relief of Jennie Bruce Gallahan.

The SPEAKER pro tempore. Is there objection?

Mr. SIMMONS. Mr. Speaker, I object.

Mr. COLLINS. I would like to make a statement if the gentleman will withhold his objection for a moment.

Mr. SIMMONS. Certainly.

Mr. COLLINS. Mr. Speaker, the Committee on Claims has very properly held such claims down to \$5,000. I think we ought to consider that as the outside limit in these claims.

Mr. SIMMONS. Mr. Speaker, I shall state my objection very briefly. This type of bill will break down entirely the retirement and pension system. This woman is 1 of 30 whose husbands died while engaged in the performance of their duty. They would all come in with similar bills. As a matter of fact, there is on the Union Calendar reported from the District Committee similar bills asking that we pay \$5,000 in addition to the regular pension allowance to some 30 of these widows. The place to stop the practice is right here at the beginning. I object to the consideration of the bill.

Mr. O'CONNELL. Is the widow receiving a pension?

Mr. SIMMONS. She is receiving \$70 a month pension now. That is what the law gives her.

#### WILLIAM WHITRIGHT

The next business on the Private Calendar was the bill (H. R. 11564) to reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Whitright from the fund designated "Indian Moneys, Proceeds of Labor, Fort Peck Indians," the sum of \$130.74 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, S. Dak., on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

With a committee amendment as follows:

In line 6, strike out the sign and figures "\$130.74" and insert "\$94.10."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

#### CHARLES THOMPSON

The next business on the Private Calendar was the bill (H. R. 11565) to reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles Thompson from the fund designated "Indian Moneys, Proceeds of Labor, Fort Peck Indians," the sum of \$130.74 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, S. Dak., on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

With a committee amendment as follows:

In line 6, strike out the sign and figures "\$130.74" and insert "\$94.10."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

#### COLVILLE RESERVATION, WASH.

The next business on the Private Calendar was the bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public school use.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to transfer and convey by patent in fee to public-school district No. 14, of Okanogan County, Wash., title to certain lands and the buildings thereon, containing approximately  $4\frac{1}{2}$  acres located in the south half of the southeast quarter of section 24, township 31 north, range 30 east, of the Willamette meridian, Washington, formerly used as an Indian day school; the title to remain in the grantee so long as a public school is established and maintained thereon: *Provided*, That Indian children shall be admitted to said school on the same terms and conditions as white children, except that tuition may be paid in the discretion of the Secretary of the Interior for said Indian children.

With committee amendments as follows:

Page 2, line 1, strike out the words "the title to remain in the grantee so long as the public school is established and maintained thereon."

On page 2, line 7, after the word "children," strike out the period and insert a colon and "*Provided further*, That whenever said land and buildings cease to be used for public-school purposes, title thereto shall revert to the United States."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

#### J. W. ANDERSON

The next business on the Private Calendar was the bill (H. R. 1518) for the relief of J. W. Anderson.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SIMMONS. I object.

Mr. MOORE of Virginia. Will the gentleman withhold his objection a moment?

Mr. SIMMONS. Yes.

Mr. MOORE of Virginia. This man was employed in the District of Columbia in 1912. It is not denied that he lost a leg in the performance of his duty. Of course, there was no compensation allowed him at that time, because the compensation act had not been passed. This bill is for the purpose of paying him what he would have received had the compensation law been in effect.

The matter was very carefully considered in the other body, where the bill passed in the last Congress, and it was shown there, as it is shown here, that the District Commissioners approved the payment of the claim, first to the extent of \$5,000. The Senate committee made a careful examination and ascertained that the proper amount would be \$4,700 on the basis of the compensation law, and the bill passed by the Senate carried that amount, as does the present bill. The Board of Welfare of the District of Columbia were in agreement with the commissioners.

Mr. SIMMONS. Mr. Speaker, will the gentleman yield there?

Mr. MOORE of Virginia. Yes.

Mr. SIMMONS. I have two objections to this bill. First, this bill proposes to make retroactive the compensation law. The gentleman says that if it had been passed this man would have received his payment.

I received reports from the commissioners in the last Congress to the effect that if the compensation law had been in force he would not have received payment. He continued on the pay roll for years. He left the District voluntarily during the war in order to get other employment at additional rates of pay outside. I have reports showing that he would not have received one dollar if the compensation law had then been in effect.

Mr. MOORE of Virginia. He was compelled to leave the service after a short time.

Mr. SIMMONS. No; he quit voluntarily in order to make more money outside.

Mr. MOORE of Virginia. He is an elderly man, unable to perform any work. He is in most needy circumstances, and it seems to me that when the District Commissioners, whose funds are to be charged with the payment, and the Board of Welfare desire this payment, the case being highly meritorious, the gentleman should not insist on his objection.

Mr. SIMMONS. I have shown you the basis of my objection, and shown that the commissioners found that he was not entitled to the payment of one dollar, and therefore I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### BROOKHILL CORPORATION

The next business on the Private Calendar was the bill (H. R. 7534) for the relief of the Brookhill Corporation.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, as I read the report in this case, this corporation voluntarily withdrew the litigation upon a compromise of the question involved and accepted \$43,351 in settlement of the suit. Thereafter they seek to have this matter, which was adjudicated, reopened. I have consistently objected to these cases of refund, and I feel constrained to object in this case. I object, Mr. Speaker.

#### AMERICAN FALLS REALTY & WATER WORKS CO. (LTD.)

The next business on the Private Calendar was the bill (H. R. 8103) for the relief of the American Falls Realty & Water Works Co. (Ltd.), of Power County, Idaho.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I notice that the committee does not follow the recommendation of the Commissioner of the General Land Office in not providing protection.

Mr. ARENTZ. May I say to the gentleman from Wisconsin that the gentleman from Idaho [Mr. SMITH] asked me to request that this bill go over without prejudice.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### JOHN A. ARNOLD

The next business on the Private Calendar was the bill (H. R. 10542) for the relief of John A. Arnold.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Reserving the right to object, will the gentleman agree to an amendment to this bill, so that it will be in full settlement of all claims?

Mr. IRWIN. Certainly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Arnold the sum of \$1,200 to reimburse him for the value of land and improvements made by him upon Government lands as homestead entryman, which land and improvements he was forced to relinquish due to error of the Government in issuing to him homestead entry certificate to lands already entered and to which it had no title, said lands being the southwest quarter section 25, township 34 north, range 11 west, Pulaski County, Mo.

With the following committee amendment:

Page 1, line 6, strike out "\$1,200" and insert "\$542."

The committee amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. BACHMANN: Line 6, after the figures "542," insert "in full settlement of all claims and."

The amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I move to strike out the last word. I call the attention of the committee to the preparation of these bills. Many of the bills are drafted so that they are required to be amended on the floor of the House, the reason being that the bill itself should end the claim against the Government for that injury or for claims growing out of that injury. Many of the bills leave out the statement that they are in full settlement of the claims growing out of the injury.



As a matter of law, you do not prevent somebody coming in and introducing a bill later in order to try to have Congress pass another act for some other particular claim which may grow out of the same transaction.

I want to call attention to the fact that the committee should put a proviso in the bills that it is in full settlement of all claims against the Government.

Mr. O'CONNELL. The gentleman is not serious in the statement he made that they could collect one of these claims twice in this particular House?

Mr. BACHMANN. Well, we had a claim presented by a man down in Virginia on the last calendar, which was the second bill growing out of some damage done when the Spanish-American soldiers went over this man's property. The whole amount was not \$200, and yet it required two acts of Congress to get it straightened out.

Mr. EDWARDS. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. EDWARDS. I think that what the gentleman states is well taken, but I believe the membership of the House will agree that the Claims Committee is one of the most careful and painstaking committees of the House, and have more work to do than any other committee of the House, except possibly one or two. I think that under the circumstances they do the work very well.

Mr. IRWIN. I thank the gentleman.

Mr. BACHMANN. I want to say to the gentleman from Georgia that I had no idea of criticizing the Committee on Claims, or its chairman. They are doing the work well indeed, but I think it would be easier and would save the time of the House if the clerk of the committee, in the preparation of these bills, would take care of that provision.

Mr. IRWIN. If the gentleman will yield, I think criticism can be directed to the Members of the House as much as to the committee, because each Member of the House when he introduces a bill should bring it in in proper form. As the gentleman from Georgia has said, the committee is very busy, and sometimes these matters are overlooked. The committee feels as though it has not time to go into the wording of the bills. I believe the individual Members should be held as much responsible as the committee.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. MOORE of Virginia. I may say to the gentleman from West Virginia that he is under a misapprehension with reference to the case he referred to a while ago. There had been a payment made to claimant Marshall by the War Department. There never had been any legislation enacted until this Congress, when a small additional amount which the War Department had declined to pay upon a technical ground was allowed.

Mr. BACHMANN. I am familiar with the case.

Mr. MOORE of Virginia. I would like to emphasize what has been said by others. I do not think there is a more laborious committee in the House than the Committee on Claims. I do not think there is a committee which is entitled to our confidence to a greater extent. I do not say it is always correct in its conclusions, but certainly the presumption is in its favor. If I were to be in the next Congress, I would strive to have a rule enacted that would take it out of the power of one party to kill a bill; I would at least go to the extent of trying to provide that there must be three objectors.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### FLORENCE M. HUMPHRIES

The next business on the Private Calendar was the bill (H. R. 9471) for the relief of Florence M. Humphries.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM. Mr. Speaker, reserving the right to object, I think we are starting a very bad precedent in this bill. The War Department gave this man no authority to act as chaplain, but he did it of his own accord. If we open the door to this man, then all of the Y. M. C. A. secretaries could come in and ask for relief because they performed the duties of a chaplain. I feel I am constrained to object to this bill.

Mr. HARE. Will the gentleman withhold his objection for a moment?

Mr. ROWBOTTOM. I will be glad to do so.

Mr. HARE. First, I want to relieve the gentleman's mind of the impression that this will result in the establishment of a

precedent. This is not establishing a precedent at all. The facts in the case are that this man volunteered his services as chaplain. He was examined physically, mentally, and otherwise, and was accepted for the position, but before he was called to take charge of his duties he went overseas as a Y. M. C. A. secretary. Upon arrival in France he was immediately assigned to the Three hundred and twentieth Machine Gun Battalion.

Mr. ROWBOTTOM. But he was not assigned as chaplain.

Mr. HARE. That is true. However, the record will show that every officer in that battalion had the impression and understood that he was a chaplain, because they never asked for any other chaplain.

Mr. ROWBOTTOM. But there was not any assignment?

Mr. HARE. No; but they recognized him as chaplain during all the time they remained in France. The major of the battalion—Major Shivers—in an affidavit states that he was acting chaplain; Doctor Rosenthal, who treated him when he was caught in a German barrage and gassed, which resulted finally in his death, makes the same statement. Lieutenant Hammond was familiar with all his activities, and he states that Reverend Mr. Humphries was their only chaplain. They did not know but what he was a regularly enlisted man. He was caught in this German barrage and gassed while in the discharge of his duties as chaplain, and not as a Y. M. C. A. secretary. He was injured in the discharge of those duties and died following the injuries sustained. I feel that while he had not been given an assignment as chaplain, that a mere technicality should not deprive his widow of the rights she would have been entitled to under the law with reference to chaplains.

Mr. ROWBOTTOM. But he did all of this of his own accord. Nobody asked him to act as chaplain; he was not assigned as chaplain, but acted as chaplain of his own accord.

Mr. HARE. It is true the report does not show that; but the commanding officer—Major Shivers—on February 5, 1919, made a formal request to the Y. M. C. A. organization that Reverend Mr. Humphries be assigned to his battalion and remain with them.

Mr. ROWBOTTOM. But not as chaplain. The report does not show that he made his request for the assignment of Mr. Humphries as chaplain but as a Y. M. C. A. secretary.

Mr. HARE. He was already serving as chaplain, and the request was that he be permitted to remain and continue to act as chaplain for them for the remainder of the time they were in France.

Mr. ROWBOTTOM. Then why was he not given that assignment by the War Department if the commanding officer asked for him?

Mr. HARE. He made his request of the Y. M. C. A. organization, and not the War Department.

Mr. ROWBOTTOM. That is it exactly. The request was that he be assigned to act as Y. M. C. A. secretary, and not as chaplain.

Mr. HARE. That is right; but he acted as chaplain, he performed every duty of a chaplain, the Government accepted his services as such, and I do not think that the Government should attempt to hide behind a mere technicality and deny justice to his widow.

Mr. ROWBOTTOM. Of his own accord.

Mr. HARE. Yes. Certainly he served of his own accord, but the Government accepted his services at its own accord and relieved itself of paying the salary of a chaplain.

Mr. STAFFORD. As the Secretary of War points out, if we should recognize this case there would be thousands of claims made on account of injuries to Y. M. C. A. workers and other workers of that kind.

Mr. HARE. No; because you would not have other Y. M. C. A. secretaries who acted solely in the capacity of chaplain, but I think that wherever the Government accepted the service of a man and he sustained a disability in the discharge of such services, it should assume its legal liability and make proper compensation for it.

Mr. ROWBOTTOM. But that is not the point. As the gentleman from Wisconsin suggests, if we should open the door in this case there would be many other Y. M. C. A. secretaries or Y. M. C. A. workers who would come in and present a claim for injuries, and that would result in establishing a bad precedent.

Mr. HARE. No; this would not be a precedent, because the Secretary of War virtually admits in his letter that this man, though a Y. M. C. A. secretary, was serving as chaplain, and he received his injuries while serving as such.

Mr. ROWBOTTOM. Where is that letter? He admits he was not a chaplain and was never so assigned.

Mr. HARE. That is true; but he was serving in the capacity of chaplain, and it is admitted that while he was serving in this capacity these injuries were sustained.



Mr. PATTERSON. May I call attention to this statement by Major Muldrow?—

Mr. Humphries was assigned to this battalion sometime during the month of August, 1918, and he has been with us ever since. During our active participation in the St. Mihiel and Meuse-Argonne offensives, Mr. Humphries was on the job every minute and rendered signal service to the men and officers of the battalion.

Mr. ROWBOTTOM. The gentleman misunderstands me.

Mr. PATTERSON. No; I do not misunderstand the gentleman. If this man rendered these services, it seems to me his widow should have some relief.

Mr. ROWBOTTOM. But if a precedent were established in this case, it would result in the filing of many such claims, and I consider that would be a bad precedent. The gentleman will remember that early in the day the statement was made that there are many disabled men who are not now being compensated.

Mr. PATTERSON. And I am in favor of giving them that compensation.

Mr. ROWBOTTOM. So am I, but not in this case.

Mr. HARE. Let me make one statement with reference to establishing a precedent. On January 10, 1930, we considered the claim of a nurse who was not enlisted, who belonged to no organization whatever, but she was rendering service in a Government hospital, and while in that hospital waiting on patients who had influenza she contracted influenza and died.

In writing a letter to the chairman of the committee in reference to this claim, the Secretary of War says that the outbreak of influenza at that time was the occasion of her employment, which was temporary in its nature, depending upon the duration of the emergency. He says further that the advisability of pensioning this girl's mother is a matter of policy which is for Congress alone to decide, and the Secretary of War refrained from making any recommendation one way or the other in that case.

Mr. ROWBOTTOM. But you notice the Secretary of War makes a recommendation in this case.

Mr. HARE. That is the point I am making. If the Secretary of War had been consistent in saying it was establishing a precedent, he would have said so in the first place and would have recommended against it, or he would have been non-committal in this case as he was in the case referred and already favorably reported.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. HARE. Yes.

Mr. STRONG of Kansas. This widow is a woman of limited means.

Mr. HARE. She was the wife and is now the widow of a Methodist minister.

Mr. STRONG of Kansas. And her husband lost his life on the battle field?

Mr. HARE. No; he did not die on the battle field, but the Secretary of War virtually admits in his letter to the chairman of the committee that while acting as chaplain in the Three hundred and twentieth Machine Gun Battalion he may have received the injuries that later resulted in his death.

Mr. STRONG of Kansas. While serving the men who were in this regiment?

Mr. HARE. Yes; it has been testified to by every officer questioned in that battalion that he was the acting chaplain.

Mr. ROWBOTTOM. Mr. Speaker, while I think this is going to start a precedent, I have not any real reason for objecting other than that, and I withdraw my objection.

Mr. STAFFORD. I object, Mr. Speaker.

#### AUGUST MOHR

Mr. KADING. Mr. Speaker, I ask unanimous consent to call up and consider at this time the bill (S. 308) for the relief of August Mohr, which is No. 907 on the calendar.

Mr. EDWARDS. Mr. Speaker, I object. I have been waiting all day here to get to a bill in which I am interested.

Mr. KADING. Will the gentleman withhold his objection?

Mr. EDWARDS. If we burn up time in this way, we might as well burn it up by considering the bill.

Mr. KADING. This is a very meritorious measure.

Mr. EDWARDS. Mine is meritorious also and there are hundreds of other meritorious bills here waiting consideration. I will withhold the objection, however.

Mr. KADING. This is a Senate bill. The claimant lost a Treasury note of \$1,000 and another of \$5,000. They both matured in 1927.

Mr. COLLINS. I am sure we will let it go through if the gentleman will let us go ahead.

Mr. EDWARDS. I shall not object.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of August Mohr United States Treasury 4% per cent notes No. 118443 for \$1,000, and No. 16641 for \$5,000, series B-1927, maturing March 15, 1927, and interest due, without presentation of the said notes or the coupons representing interest thereon, said notes having been lost, stolen, or destroyed: *Provided*, That the said notes shall not have been previously presented for payment and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further*, That the said August Mohr shall first file in the Treasury Department a bond in the penal sum of double the amount of the note and the interest payable thereon in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed notes herein described or the coupons belonging thereto.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### SALARIES OF OFFICERS AND MEMBERS OF THE METROPOLITAN POLICE FORCE AND FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2370) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia, with House amendments, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. McLEOD, BEERS, and WHITEHEAD.

#### LIGHTHOUSE TRACT CEDED BACK TO THE CITY OF DUNKIRK, N. Y.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12967) granting certain land to the city of Dunkirk, Chautauqua County, N. Y., for street purposes.

The SPEAKER. The gentleman states that this is an emergency?

Mr. REED of New York. It is an emergency, Mr. Speaker, existing in my home city.

The Clerk read the title of the bill.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, we have not had an opportunity to examine this bill, and wherever the Government is donating any land to any county or any State or any city I think all mineral rights should be reserved.

Mr. REED of New York. There are absolutely no mineral rights involved. This is simply shifting a highway that is now over Government property, because of the erosion by the lake, to a point where the action of the waves during heavy storms will not endanger traffic.

Mr. BACHMANN. There are no rights of the Government that would be adversely affected at all?

Mr. REED of New York. None at all.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of Commerce is authorized and directed to convey by quit-claim deed to the city of Dunkirk, Chautauqua County, N. Y., the following described land for the purpose of opening a street in such city: A piece of land extending from water line to water line across Point Gratiot, Dunkirk, N. Y., said piece of land being a strip 33 feet wide along the southerly boundary line of the United States lighthouse property which was acquired by the United States by deed of purchase from Elisha Jenkins, dated October 9, 1826, and shown on a "Map of Lighthouse Reservation, Point Gratiot, Dunkirk, N. Y., dated April 22, 1930, signed by W. H. Shelton, city engineer, Dunkirk, N. Y." said strip of land being bounded as follows:

Beginning at the intersection of the westerly line of Light Street with the southerly boundary line of the United States lighthouse property, said intersection being marked by a concrete monument with a brass pin, and distant approximately 1,700.5 feet northerly along the westerly line of Light Street from a like concrete monument at the intersection therewith of the northerly side of Oak Street; thence westerly at an angle of 90° 37' with the westerly line of Light Street along the present southerly boundary line of the United States lighthouse property, now marked by a fence and shrubs, a distance of 706.6 feet to a concrete monument with a brass pin; thence in the same direction to the water line on the west side of Point Gratiot; thence northerly following the water line to the intersection therewith of a



line parallel to and 33 feet northerly from the present southerly boundary of the United States lighthouse property; thence easterly along said parallel line passing through two similar concrete monuments, 706.6 feet apart, to the water line on the east side of Point Gratiot; thence southerly along said water line to the intersection therewith of the easterly extension of the present southerly boundary line of the United States lighthouse property; thence westerly along said southerly boundary to the concrete monument at the point or place of beginning; the area or content inclosed by the foregoing metes and bounds being sixty-three hundredths of 1 acre.

SEC. 2. In the event that the land herein granted, or any part thereof, shall cease to be used exclusively for street purposes or shall be sold by the grantee herein, title thereto shall thereupon revert to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SIDNEY J. LOCK

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 9347 out of order, in behalf of the gentleman from Texas [Mr. BUCHANAN].

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the bill, as follows:

H. R. 9347

A bill for the relief of Sidney J. Lock

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Sidney J. Lock, who was a member of Company H, First Regiment Texas Volunteer Infantry, war with Spain, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 5th day of April, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

STEPHEN W. DOUGLASS

Mr. LUCE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 435 (H. R. 6693), for the relief of Stephen W. Douglass, chief pharmacist, United States Navy, retired.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. EDWARDS. Is this back of the star?

Mr. LUCE. Yes.

Mr. EDWARDS. I think that is hardly fair to the rest of us who have been waiting here all day.

Mr. LUCE. The circumstances here are exceptional.

Mr. EDWARDS. I will not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUCE. Mr. Speaker, I ask unanimous consent to substitute the Senate bill, which is identical with the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill (S. 2718), as follows:

*Be it enacted, etc.,* That Chief Pharmacist Stephen W. Douglass, United States Navy, who was transferred to the retired list of the Navy on September 4, 1929, upon reaching the statutory age of 64 years, after a service of 41 years in the active regular Navy—10 years as an enlisted man, 14 years as a warrant officer (pharmacist), and 17 years as a commissioned warrant officer (chief pharmacist)—shall hereafter be entitled to retired pay as provided for a commissioned warrant officer with 20 years' creditable commissioned service in the act approved February 16, 1929.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

CONVEYANCE OF CERTAIN LAND IN HOT SPRINGS NATIONAL PARK TO THE P. F. CONNELLY PAVING CO.

Mr. GLOVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1183) to authorize the conveyance of certain land in the Hot Springs National Park, Ark., to the P. F. Connelly Paving Co. It is an emergency matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BACHMANN. Reserving the right to object, does the bill reserve the mineral rights?

Mr. GLOVER. This involves only three one-hundredths of an acre of land. It is a little corner next to the Connelly property. They have been using it under a lease, but the lease is about to expire. It is of such little consequence that the Department of the Interior has had an appraisal of it and this is acceptable to both parties. What they want is authority to the Secretary of the Interior to pass the title.

Mr. BACHMANN. Any oil or gas on it?

Mr. GLOVER. None whatever.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized in his discretion to convey to the P. F. Connelly Paving Co., of Little Rock, Ark., by the issuance of patent or other appropriate instrument of conveyance, and at an appraised value to be approved by said Secretary, that certain tract of land located within the Hot Springs National Park, Garland County, Ark., described as follows: Beginning at a point on the west boundary line of Hot Springs National Park, Ark., said point being the most southerly corner of lot 32, block 128, United States Hot Springs Reservation, as surveyed, mapped, and platted by the United States Hot Springs commissioners; thence in a southeasterly direction and at right angles to the boundary of Hot Springs National Park aforesaid, a distance of 50 feet; thence in a northeasterly direction and parallel with the aforementioned boundary line 290 feet; thence in a northwesterly direction a distance of 50 feet to the aforementioned boundary line; thence in a southwesterly direction along said boundary line a distance of 290 feet to the point of beginning; and, upon the transfer of title to said land to the said company the same shall be, and is hereby, eliminated from the said Hot Springs National Park.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FLOYD DILLON

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 321, H. R. 1826, the bill for the relief of Floyd Dillon, deceased.

This is a bill introduced by the gentleman from Mississippi [Mr. COLLIER] to which I objected several weeks ago, because I concluded from the report that it was not proper, but upon an explanation of Mr. COLLIER, who was not on the floor at the time, I find that the only purpose is to purchase a tombstone for a victim of the World War, and I ask that the bill may be considered.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Floyd Dillon, who was a member of Company F, Three hundred and forty-eighth Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 24th day of April, 1918: *Provided*, That no money, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. WURZBACH. Reserving the right to object, does this bill precede the star? If it does, I shall object.

Mr. EDWARDS. I hope the gentleman will not object, because the gentleman from Mississippi [Mr. COLLIER] was called away by his duties as a conferee on the tariff.

Mr. BACHMANN. Mr. COLLIER was engaged in the conference committee.

Mr. WURZBACH. Very well. I shall not object, but I give notice that I shall object to any other bill that precedes the star.

The Clerk read the following committee amendment:

Page 1, line 10, strike out the word "money" and insert the word "bounty."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CHARLES W. MARTIN

The next business on the Private Calendar was the bill (S. 363) for the relief of Charles W. Martin.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I would like to have some information about the bill.

Mr. SEARS. Mr. Speaker, this was a place where the Government had a great balloon school during the war. It consisted of about 100 or more acres of land in the city of Omaha. That property was about to be made into a subdivision. However, the Government wanted it, and Mr. Martin let them have it, I think, for a dollar a year.

Mr. COLLINS. Three hundred dollars a year.

Mr. SEARS. It was a small amount. He did that with a contract understanding that it was to be placed back in the same condition it was when the Government took it over. They changed it entirely around and left it in such condition that it cost Mr. Martin more than this amount to get it placed back.

Mr. COLLINS. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles W. Martin, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, in full settlement against the Government, for damages to land near Omaha, Nebr., which was used and occupied by the United States as a balloon-school site.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### SIMONAS RAZAUSKAS

The next business on the Private Calendar was the bill (H. R. 457) for the relief of Simonas Razauskas.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Is the author of the bill present?

Mr. COLLINS. Mr. Speaker, this is another one of these bills to pay for some injuries caused by the careless driver of an Army truck. There are several of such bills on the calendar.

Mr. BACHMANN. I understand the purpose of the bill; but I want to inquire about how the amount of \$2,500 is arrived at. The man is endeavoring to recover for permanent injury to his leg, which had already been permanently injured. How does the committee arrive at the sum of \$2,500, particularly in view of the fact that the medical service was only \$75.

Mr. O'CONNOR of Louisiana. Mr. Speaker, permit me to make an observation with reference to the taking up of bills of Members who are not present. I think it would be a good thing if the gentlemen in charge of the Private Calendar and the Consent Calendar would consider only those bills where the sponsors or authors are present. Diligence ought to be rewarded. We are passing bills of Members who have not been here on the floor for weeks. I have been waiting around here all day.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Mr. Speaker, I object.

#### GEORGE CHARLES WALTHERS

The next business on the Private Calendar was the bill (H. R. 5212) for the relief of George Charles Walthers.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object. Does not this bill exceed the amount generally allowed by the committee?

Mr. IRWIN. It would be under the rules of the compensation commission, which allows two-thirds of the salary.

Mr. COLLINS. I do not think the committee ought to exceed the law or the spirit of the law.

Mr. IRWIN. We thought under the circumstances of this particular case, it was justified.

Mr. STAFFORD. Mr. Speaker, I have had some difficulty in recognizing any Government liability in this case in view of the facts narrated in the letter of the Secretary of the Treasury. Here we have a claimant who was engaged in the illicit manufacture of rum.

Mr. IRWIN. Has that been proved in this particular case?

Mr. STAFFORD. Let me state the facts as I see them and as narrated by the Secretary of the Treasury.

In regard thereto I beg to state that from the reports it appears that one Fred Wise, a paroled convict, owned a still. He entered into an agreement with George Charles Walthers and Reuben Quanstrom to set up and operate this still in violation of the national prohibition act and in fraud upon the revenues. Pursuant to this agreement, Walthers and Quanstrom took the still from its place of concealment and set it up in the woods and proceeded to operate it on a "50-50 basis." Wise, however, remaining in the background and selling the product. Information of this illicit enterprise came to the prohibition officers, who, guided by an informer, visited the still and found it in operation but with nobody present. The still was concealed in the woods and surrounded by threads designed for the purpose of warning the operators of the approach of strangers. Upon the arrival of the officers at the still they concealed themselves and awaited the arrival of the operators. After a time Walthers and Quanstrom, each bearing an empty 5-gallon keg on his shoulder, approached the still, carefully avoiding the signal threads. One of these men, believed to be Walthers, discovered a concealed officer, whereupon the officer commanded them

to halt, at the same time advising them that they were prohibition officers. Instead of halting, they ran, with the officers in pursuit. A prohibition agent named Montgomery stumbled over a log and accidentally, without negligence on his part, shot Walthers in the back, seriously injuring him. The officers promptly carried Walthers to a physician and thence to a hospital, where it was found the bullet had lodged in the spine. The wounded man received every attention and the bills were paid by this office as long as permissible under the law.

Upon that statement of the Secretary of the Treasury I base my statement that this claimant was a bootlegger. Are we to recognize the principle of liability when a Government officer detects a still and the illicit manufacturer runs to escape and is injured? Shall the Government in those circumstances compensate him for his illicit practices?

Mr. KORELL. Mr. Speaker, what the gentleman has stated was incorporated in one of the reports that the Secretary of the Treasury made. However, the statement was based on the statements of the man who shot this victim, which were in turn contradicted by other witnesses and were not believed by the Federal prosecuting attorney of the State of Oregon or the Federal prosecuting attorney of the State of Washington. The shooting was passed upon by the Department of Justice, and the Attorney General has recommended that this man be accorded congressional relief. Mabel Walker Willebrandt, who has been one of the most vigorous prosecutors of violators of the liquor laws, has made the same recommendation.

Mr. STAFFORD. What recommendation?

Mr. KORELL. A recommendation to the effect that the man is entitled to relief. There were quite a number of statements before the Committee on Claims to the effect that this boy—a young lad of about 17 years of age—was merely walking down a little footpath through the woods, when suddenly a crowd of men rose up above some logs with guns and rifles and called to him to stop.

In endeavoring to move over a log, in order to reach the boy, an officer's gun was discharged and Walthers was hit. The man who fired the shot made the statement immediately afterwards, "I am awfully sorry; the gun was a new gun, and the shot went off by accident." This statement shows that there was no justification for the shooting.

Mr. COLLINS. But can the gentleman justify the payment by the Government to a bootlegger an amount in excess of the amount that is allowed for permanent total disabilities sustained by our soldiers in the World War and other wars?

Mr. KORELL. I believe I can. This case was never prosecuted in spite of the insistence of the young man that he was entitled to a trial and to have his name cleared. The district attorneys in both Washington and Oregon thought there was not sufficient evidence to convict him.

Now, with regard to this shooting, Walthers was shot in the State of Washington. He was hit with a bullet in the middle of the back, which completely paralyzed him, so that he has lost control of every muscle of his body below his waist. After the shooting he was taken into the State of Oregon, and after the Government refused to prosecute him he was left upon the hands of the people of Portland. They are providing for him now, and have been doing so since 1923. Under the circumstances they are vitally interested in seeing that he shall obtain some kind of congressional relief. He is a hopeless, bedridden invalid, requiring the constant care of a nurse or an attendant.

Mr. STAFFORD. Was he an accomplice in this bootlegging expedition?

Mr. KORELL. No. All the evidence in the case is to the contrary. In fact, I am informed that the man who actually did the shooting said very recently that he was convinced that the boy was innocent.

Mr. BUTLER. Mr. Speaker, I have corresponded with the Federal authorities in the State of Oregon and I am informed that in their opinion the boy was not an accomplice, and further I am informed by the lady who took down the statements of the other men that the agent and those fellows took the boy into the guardhouse and subjected him to the third degree and tried to implicate this boy in this transaction.

Mr. COLLINS. Mr. Speaker, I do not think we are justified in allowing \$150 a month to this boy. We can not afford to give a person injured while violating the law a larger amount than we pay our permanently disabled soldiers. I shall have to object unless the amount is reduced.

Mr. JOHNSON of Washington. I am willing to have you make it \$100. He will pay that out for attendance. I have letters here from the sheriff, and I know personally several of the operators who are acquainted with this transaction.

Mr. STAFFORD. Can the gentleman state from his acquaintance with the case that this young man was not a bootlegger?

Mr. JOHNSON of Washington. I can not answer that.



Mr. COLLINS. Do you know what this boy was making per month?

Mr. KORELL. No.

Mr. COLLINS. The compensation law, under which it is proposed to pay him, provides two-thirds of the salary. The boy certainly did not make \$150 per month.

Mr. KORELL. If he had been guilty and the Government had done its duty and convicted him, they would have had Walthers on their hands to take care of. He would not be the object of charity, an expense for innocent people to shoulder.

Mr. STAFFORD. I am willing to accept the statement of the gentleman from Oregon that this boy was not a bootlegger.

Mr. BACHMANN. Will the gentleman accept the amendment?

Mr. JOHNSON of Washington. I will accept that.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the committee amendment be read in lieu of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill and the amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Charles Walthers, the sum of \$10,000 in full settlement of all claims against the Government on account of injuries received September 1, 1923, when the said George Charles Walthers was shot by John Montgomery, an agent and employee of the Prohibition Enforcement Unit, Bureau of Internal Revenue, United States Treasury Department.

With a committee amendment as follows:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$150 per month to George Charles Walthers, during his natural life, in full settlement of all claims against the Government of the United States for total and permanent disability resulting from a gunshot wound inflicted upon him in 1923 by a Federal prohibition enforcement officer. Said monthly payments shall be made through the United States Employees' Compensation Commission, and shall commence on the date of the approval of this act.

"Sec. 2. That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. COLLINS. Mr. Speaker, I have an amendment in line 3, page 2, to strike out "\$150" and insert "\$100."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Amendment offered by Mr. COLLINS to the committee amendment: In line 3, page 2, strike out "\$150" and insert "\$100."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Mississippi to the committee amendment.

The Collins amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, during the consideration of the bill (H. R. 5212) for the relief of George Charles Walthers I was unable to secure recognition for the purpose of reading a letter from the former sheriff of Clark County, Wash., Mr. William A. Thompson.

This letter is addressed to the senior Senator from Washington, Hon. WESLEY L. JONES, and gives considerable information with regard to the incident which happened in Skamania County, Wash., six years ago. It is as follows:

Re: United States v. Walthers.

Hon. WESLEY L. JONES,

United States Senator,

United States Senate Office Building, Washington, D. C.

MY DEAR MR. JONES: Lately I have noticed in the press and otherwise considerable controversy over the shooting of George Walthers, who is now a patient in the Good Samaritan Hospital, Portland, Oreg.

The shooting and arrest took place in Skamania County, Wash., 1923, during the time that I was sheriff of Clark County, Wash.

I wish to state, that as far as relief from the United States Government is concerned, I have no objection to it being given to the unfortunate moonshiner. I do feel that the attitude that is being taken by the proponents trying to obtain such relief, is being taken under false colors. I believe that I am the most informed party pertaining to this particular case, leading up to the shooting and afterwards.

I had asked for assistance from our prohibition director to take care of the condition that developed in that case. Mr. Lyle sent Mr. J. G. Montgomery, Mr. M. Y. Croxall, and Mr. S. C. Linville to my office. When I got in touch with the informers, they directed them to the location of the still in Skamania County. This was only a short distance from where one of my deputies had been killed a short time before. These prohibition agents were warned by our informers that they were going into a dangerous place and should be on the alert, or that they would be killed if they were not careful.

Through a slight misunderstanding regarding train schedule, in driving these officers to the S. P. & S. Railway depot, we arrived too late and they missed their train. They then drove rapidly to Camas, Wash., and boarded the S. P. & S. train at that place. In this hurry and confusion, Mr. Montgomery had forgotten and left his side-arms at my office, and side-arms were loaned to him by Mr. Raguse, a deputy sheriff in my office. Mr. Raguse was quite an expert shot and the gun he carries was easily fired. I feel that Mr. Montgomery's part in the unfortunate shooting was entirely accidental. On the other hand, according to the statement of Mr. Quarnstrom, Mr. Walthers' partner at the still, the men were committing a felony. The officer was in his right, and in fact, it was his duty to use reasonable force in making the arrest. I feel that the criticism heaped upon Mr. Montgomery, is unjust. Mr. Montgomery was making a sincere effort to enforce the prohibition laws and I believe that the press has done him a great injustice.

I feel that it is the duty of all citizens who believe in the enforcement of the prohibition laws, to support men of his character, ability, and integrity.

It has been called to my attention that the justice of the peace, who was then Esther Peterson, and who is now Mrs. C. W. Moody, has made a statement to the district attorney in Portland, Oreg., to the effect that the statement taken by her from Ruben Quarnstrom was taken under constraint and duress. I wish to make this clear. Mr. Quarnstrom was confined in my jail on that date, and he requested to see me. Apparently he had not talked to the Federal prohibition agents at that time. He informed me that he wanted to make a clean breast of all of the operations that had taken place regarding his and Walthers's moonshining activities. I called in Mr. Croxall, my stenographer not being available. I went to the home of Miss Peterson and brought her to my office, where she took the statement of Mr. Quarnstrom, and which statement was later used in the trial of the case. During the time she took the statement Mr. Quarnstrom was not under duress. As a matter of fact, he had requested to be permitted to make a statement, and when I asked him if he wanted to make it before a notary public he said he would be glad of the opportunity.

I am not objecting at this time to George Walthers receiving benefits, as his was an unfortunate case, but I do object to his receiving it under false colors. I feel that if he is permitted to receive benefits, that every moonshiner's wife and family in the country, left under similar circumstances, should enjoy the same privilege.

Very truly yours,

WM. A. THOMPSON,  
President Vancouver Bus Co., and  
Ex-Sheriff Clark County, Wash.

I should like to add that all the circumstances in this case of Walthers seem to have been unfortunate. Had the charge against him been pressed and had he been convicted the responsibility of his care would have been on the Federal Government. The death of the other boy in the case resulted in the charges against Walthers being dropped by the Government before his guilt or innocence had been determined.

JOHN MAGEE

The next business on the Private Calendar was the bill (H. R. 6642) for the relief of John Magee.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$175 to John Magee, which amount of money would have been paid to him in settlement of a claim against the United States except that it had been deposited to the credit of "Miscellaneous receipts."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

P. M. NIGRO

The next business on the Private Calendar was the bill (H. R. 6694) for the relief of P. M. Nigro.

The title of the bill was read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Reserving the right to object, Mr. Speaker, I have an amendment. I will not object if my amendment is accepted.

Mr. WURZBACH. I have no objection to the amendment suggested by the gentleman.

Mr. COLLINS. This is another case where the War Department injured somebody with one of their trucks.

Mr. BACHMANN. Yes; but it is a little different.

Mr. COLLINS. I know; but it is the carelessness of some driver or some soldier on an Army truck.

Mr. BACHMANN. Well, I do not know whether it is or not. This man was jay walking across the street. It is out of the ordinary, but I have no objection.

The SPEAKER *pro tempore*. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to P. M. Nigro, out of any money in the Treasury not otherwise appropriated, the sum of \$156.25, on account of expenses incurred by the said P. M. Nigro as the result of injuries sustained by Charles Nigro, a minor, the son of said P. M. Nigro, when struck by a Government truck on May 29, 1924.

Mr. BACHMANN. Mr. Speaker, I offer an amendment.

The SPEAKER *pro tempore*. The gentleman from West Virginia offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BACHMANN: Page 1, line 6, after the figures "156.25," insert the words "in full settlement of all damages and claims."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MAJ. BENJAMIN L. JACOBSON

The next business on the Private Calendar was the bill (H. R. 4110) to credit the accounts of Maj. Benjamin L. Jacobson, Finance Department, United States Army.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is authorized and directed to reopen the accounts of Maj. Benjamin L. Jacobson, Finance Department, United States Army, involving expenditures made in good faith upon Government business and without fault or negligence on his part, and remove the disallowance of \$210.75 made in such accounts by the General Accounting Office, and the proper accounting offices shall thereupon credit his accounts with such sum.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### RELIEF OF DISBURSING OFFICERS, UNITED STATES ARMY

The next business on the Private Calendar was the bill (H. R. 8677) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Selden B. Armat, major, Finance Department, \$72.39; Francis J. Baker, major, Finance Department, \$25; Edwin F. Ely, major, Finance Department, \$77.37; Clarence M. Exley, major, Finance Department, \$92.02; Eugene M. Foster, captain, Finance Department, \$19.65; Peter Hanses, captain, Quartermaster Corps, \$10.70; Thomas B. Kennedy, captain, Finance Department, \$60.30;

Montgomery T. Legg, major, Finance Department, \$234.47; Harry B. Lovell, captain, Finance Department, \$37.78; Samuel B. McIntyre, late colonel, Finance Department, \$31.37; Jacob R. McNeil, captain, Finance Department, \$180.23; Hilden Olin, colonel, Finance Department, \$59.57; Herbert E. Pace, major, Finance Department, \$91; Joseph F. Routhier, first lieutenant, Finance Department, \$96.53; Philip A. Scholl, captain, Finance Department, \$333.82; Edwin B. Spiller, major, Finance Department, \$18.27; George N. Watson, major, Finance Department, \$188; and Lawrence P. Worrall, captain, Finance Department, \$13.58, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Francis J. Baker, major, Finance Department, \$396.27, public funds for which he is accountable and of which amount \$290.70 was paid to Reserve Officers' Training Corps students at Georgia Institute of Technology on the certification of an officer who has since died; and \$105.57 was paid to members of the National Guard of Florida and Tennessee for armory-drill pay.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edward T. Comegys, major, Finance Department, the sum of \$22.70, public funds for which he is accountable and which were paid by him to Wilmot A. Danielson, major, Quartermaster Corps, for mileage performed under War Department orders, and which amount was disallowed by the Comptroller General of the United States.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Otto W. Gralund, major, Finance Department, the sum of \$73.80, public funds for which he is accountable and which were paid to a former officer of the United States covering commutation of quarters and from whom it is impossible to make collection.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Carl Halla, major, Finance Department, the sum of \$323.48, public funds for which he is accountable and which were paid Maj. (then Capt.) Maurice L. Miller, Infantry, covering loss of personal property and whose claim was approved by the Acting Secretary of War on August 6, 1925, and disallowed by the Comptroller General of the United States: *Provided*, That refund to Major Miller in the amount of \$75 is hereby authorized and directed, being the amount refunded by him to the United States on account of this disallowance.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Peter Hanses, captain, Quartermaster Corps, the sum of \$43.80, public funds for which he is accountable and which were paid to 14 citizens' military training camp students covering mileage from their homes to Camp Harry J. Jones, Arizona, collection of which amount can not be effected.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Thomas B. Kennedy, captain (retired), Finance Department, the sum of \$58.50, public funds for which he is accountable and which were paid to 12 Reserve Officers' Training Corps and citizens' military training camp students on account of mileage from their homes to Fort Sheridan, Ill., collection of which amount can not now be effected.

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin J. O'Hara, major, Finance Department, the sum of \$86.26, public funds for which he is accountable and which were paid to Howard S. Miller, lieutenant colonel, Coast Artillery Corps, covering mileage under proper orders of the War Department and which payment was disallowed by the Comptroller General of the United States.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lyman L. Simms, captain (retired), Finance Department, the sum of \$60, public funds for which he is accountable and which were paid to a civilian employee of the War Department, covering traveling expenses incurred under orders issued by the Surgeon General of the Army, which orders were later approved by the Secretary of War and which amounts were disallowed by the Comptroller General of the United States.

SEC. 10. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Emmet C. Morton, major, Finance Department, the sum of \$1,148.24, public funds for which he is accountable and which he paid to the credit of organizations on account of ration savings and which organizations are now inactive.

SEC. 11. Any amounts otherwise due any of the disbursing officers mentioned in the preceding sections of this act by reason of refunds of income taxes, and which amounts or any part thereof have been credited by the Comptroller General of the United States to disallowances in their official disbursing accounts with the United States, shall be refunded to them: *Provided*, That any amounts refunded by them to



the United States on account of these disallowances which are cleared by the passage of this act shall also be refunded to them.

SEC. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin M. Lawton, disbursing clerk, War Department, the sum of \$38.61, public funds for which he is accountable and which were paid to James R. Kyle, a civilian employee of the Quartermaster General's Office, and disallowed by the Comptroller General of the United States.

SEC. 13. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank B. Strunk, former private, Battery C, Three hundred and thirty-seventh Regiment Field Artillery, the sum of \$44.75, being the amount he has paid for one second Liberty loan bond by deduction from his pay as an enlisted man and which bond was lost in the mails.

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander T. McCone, first lieutenant, Field Artillery, \$124; and to John C. Hamilton, first lieutenant, Cavalry, \$132, being the amounts originally paid to them by disbursing officers of the Army and which amounts they have refunded to the United States by reason of disallowances by the Comptroller General of the United States, covering traveling expenses while studying foreign languages in Europe under proper orders of the War Department.

With the following committee amendments:

Page 2, line 24, strike out "\$396.27" and insert "\$105.57."

Page 2, line 25, after the word "accountable," strike out "and of which amount \$290.70 was paid to," and on page 3, strike out all of lines 1, 2, and 3, down to and including the word "was."

Page 5, line 10, strike out all of sections 9 and 10.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### VETERANS' RELIEF

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the veterans' bill now before the Senate, and to include an analysis of the bill and also a letter from the American Legion.

Mr. SIMMONS. Reserving the right to object, Mr. Speaker, will the gentleman state by whom the letter from the American Legion is signed?

Mr. RANKIN. I will read the letter if the gentleman desires.

Mr. SIMMONS. No; I do not desire that, but I want to know whom it is signed by.

Mr. RANKIN. It is signed by the friend of the gentleman from Nebraska, Mr. John Thomas Taylor.

Mr. SIMMONS. Do I understand the gentleman is vouching for any statement made by John Thomas Taylor?

Mr. RANKIN. I vouch for the fact that this letter was written by him.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, on next Monday the veterans' bill will be taken up in the Senate for final passage, and I have secured this permission to extend my remarks in the RECORD in order to answer the two main questions that have been raised concerning it.

First, I desire to answer the argument of those who are opposed to the measure who have contended that the American Legion is opposed to it. I here insert a letter written to-day by Mr. John Thomas Taylor, which shows that the Legion favors the passage of the bill just as it came from the Finance Committee of the Senate, which is the original Rankin bill with a few minor amendments. Mr. Taylor's letter reads as follows:

THE AMERICAN LEGION,  
NATIONAL LEGISLATIVE COMMITTEE,  
Washington, D. C., June 21, 1930.

Hon. SAMUEL M. SHORTRIDGE,  
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: We were all very glad to note that the Senate yesterday, before adjournment, made H. R. 10381, the disabled men's legislation, the unfinished business of the Senate, and that it would be taken up for consideration Monday, June 23, and be voted upon before adjournment on that date.

On June 14 I addressed a letter to each Senator, a copy of which is inclosed, appealing to them to pass the disabled bill promptly, in substantially the form reported by the Senate Finance Committee. The RECORD contains the statement that several of the Senators intend to offer amendments. I take this opportunity, therefore, to again state to you, since you have charge of the bill on the floor of the Senate,

that it is our hope that the bill will be passed without substantial amendment. In our opinion, it is a splendid piece of legislation as reported by the Finance Committee, and is satisfactory to the members of the American Legion.

Very sincerely yours,

JOHN THOMAS TAYLOR,  
Vice Chairman National Legislative Committee.

Second, I wish to call attention to the misleading letter placed in the RECORD on last Friday by Senator REED, of Pennsylvania, in which the Director of the Veterans' Bureau seems to have greatly exaggerated the cost of this bill.

Be it remembered that General Hines has testified time and again that the Rankin amendment to section 200, which is the main provision of the bill now before the Senate, would cost about \$42,000,000 annually, and his testimony before the Senate Finance Committee a few weeks ago was to the effect that the entire bill would cost around \$73,000,000 annually. Yet one would think from reading the letter above referred to that the expense would be a great deal more than his testimony indicated.

But a close analysis of his letter will show that the expense of this measure will not be more and may be considerably less than \$73,000,000 a year.

Let us analyze his letter and see just what the bill will cost.

1. Take the first item in his letter, \$702,000.

This amount is based on the theory that men will be replaced on the roll who were put on in the beginning through mistaken identity. That certainly is not the intent of the bill, and I do not believe it will be so construed.

2. Take the second item, \$218,000.

We will not question it.

3. Take the third item, \$3,000,000.

The gathering of these records is a part of the duties of the War Department and should not be charged up to "veterans' relief."

4. Cases involving "misconduct," \$5,421,000.

If you will compare this provision with the present law you will find that a man who is helpless or bedridden is taken care of now, and, as I understand it, is given the full benefits of compensation, in addition to being hospitalized at a cost to the Government of \$120 a month.

5. Presumption of service origin, disability cases, \$55,900,000.

There are only 77,000 cases to come under this provision. The average compensation is \$43 a month, or \$516 a year. If every single case should be approved and placed on the roll the amount would be \$39,732,000, or \$16,168,000 less than the amount above indicated.

But it is estimated that 20 per cent of these cases will never go on the roll. That would reduce this item by \$7,946,400 more, leaving it to cost about \$32,000,000, or \$23,900,000 less than this letter would indicate.

6. Death cases, 1931, \$22,700,000.

This is money to be paid to dependents. We went over this, as we did the above items and every other item here discussed, with an expert from the Veterans' Bureau, since the Hines letter was written, and he agreed with us that at least 40 per cent of these cases would never materialize, owing to the fact that many veterans left no dependents, many dependents are now grown and would not be entitled to anything, since this provision is not to be retroactive. Many of the widows have either died or remarried. He agreed with us that this item would be reduced to around twelve million, thereby cutting down his estimate by another ten million.

7. Cost of hospitalization, and so forth, \$6,440,000.

The answer to this entire item is that these men are already entitled to hospitalization under the present law. Giving them compensation will not increase their desire to go to a hospital. It will, rather, tend the other way. Many who are now in hospitals would be at home with their families if they were compensated so they could do so. This item seems to be entirely superfluous.

8. Dependent fathers and mothers, \$6,000.

This item is so small that it does not materially affect the cost of the bill.

9. Flags to drape caskets, \$40,250.

Neither will this small item materially affect the cost of the bill.

10. Amputation cases, additional \$1,000,000.

This is about right.

11. Arrested T. B. cases, \$8,000.

This is about right.

12. Allowance for dependents for veterans hospitalized without compensation, \$1,900,000.

This will be greatly reduced, since these men will go on the roll and therefore their dependents will not receive pay.

13. Spending allowance for veterans hospitalized who draw no compensation, \$218,000.

This will be greatly reduced, since these men will go on the roll and receive compensation.

14. Increased administrative cost, \$5,000,000.

There should be no increased administrative cost. There is too much cost to administration in the Veterans' Bureau now.

The salaries in the Veterans' Bureau amount to more than \$40,000,000 a year. All the salaries of all the Senators, all the House Members, all their clerks, and all their secretaries combined amount to less than \$10,000,000 a year, or less than one-fourth the amount of the salaries in the Veterans' Bureau. Therefore this item should never have been included.

Thus it will be seen that at least \$48,000,000 should come off this estimate.

General Hines's estimate is	\$102,553,250
Take from that	48,000,000

You will have left	54,553,250
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That is about the annual cost of the bill. I will not attempt to analyze the rest of his letter. We also went over that part of it with the bureau expert, and when we had covered the entire letter fully we reached the conclusion that this bill could not possibly cost more than \$73,000,000 annually, the amount of the original estimate made by General Hines and given out by Senator Smoot. And in my opinion it will cost a great deal less. I estimate the cost will be somewhere between \$50,000,000 and \$60,000,000 a year.

J. O. WINNETT

The next business on the Private Calendar was the bill (H. R. 680) for the relief of J. O. Winnett.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I notice that the claimant was only out of work for 14 days all told by reason of this minor injury, a little flareback of smoke in his face. Now it is sought to give him the benefits of the compensation act.

Mr. TAYLOR of Colorado. Will the gentleman permit me to make a statement?

Mr. STAFFORD. Certainly.

Mr. TAYLOR of Colorado. This is the same kind of a bill that was passed early this afternoon regarding Edward C. Dunlap, for injuries received while working for the Government on the Gunnison Tunnel in Colorado. This man was working with 15 others on the Gunnison Tunnel of the Uncompahgre reclamation project. They were some 500 feet inside, underground, in the tunnel. They put off a very large charge of powder and it filled the tunnel with smoke, and 9 of the 15 were suffocated and killed right there. The rest of them were injured very seriously. This man laid off for 14 days, and was in the hospital. Then he was urged to go back to work the same as Dunlap was, and he went back. If he had stayed out one day longer he would have been entitled to compensation under the then existing law, but in going back before 15 days, under the law, he did not get compensation and never has had any. He was broken in health. His heart and lungs were so badly injured that he became a helpless and hopeless invalid and has, I understand, become a public charge in the county hospital.

Mr. STAFFORD. Does the gentleman believe that the explosion accounts for his present condition?

Mr. TAYLOR of Colorado. Oh, yes. The people who know about the case all tell me that. Several of his friends have taken it up with me several times. He has not got a dollar on earth. It is a very pitiable case. I feel very confident he is entitled to relief.

Mr. STAFFORD. I withdraw the reservation of objection.

Mr. ROWBOTTOM. Reserving the right to object, why did the man wait from 1910 until now to file his claim?

Mr. TAYLOR of Colorado. There was not any law in those days whereby he could. I have been trying for years to pass both this and the Dunlap bill.

Mr. ROWBOTTOM. He could come in under the United States compensation act in 1916.

Mr. TAYLOR of Colorado. He did not know anything about that. I started myself some eight years ago to try to get this bill passed. Sometimes it was ignored by the committee and sometimes overlooked and not reached all this time. But perfectly reliable people tell me his lungs and health and strength were ruined by that blast, and he has had a hard struggle to keep alive. I hope the House will approve the bill.

Mr. ROWBOTTOM. I withdraw the reservation of objection. The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to J. O. Winnett, on account of injuries sustained on January 16, 1910, while employed by the United States Reclamation Service in the construction of the Gunnison Tunnel of the Uncompahgre reclamation project, near Montrose, Colo., the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, without regard to the time of the filing of his claim for such benefits.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: In line 2, page 2, after the word "amended," insert the words "from and after the enactment hereof."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

J. W. NIX

The next business on the Private Calendar was the bill (H. R. 7445) for the relief of J. W. Nix.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, reserving the right to object, I notice this is a bill providing for the payment of a reward for apprehending a deserter. Was this soldier a neighbor of this fellow?

Mr. HARE. No; I can explain that. This soldier deserted the United States Army in the State of New Jersey. He was apprehended at Yemassee, S. C. After he was apprehended the officer who captured him wired the commanding officer in charge—

Mr. PATTERSON. Was the officer who captured him a soldier?

Mr. HARE. No; he was a civilian. He wired the commanding officer of the organization located in New Jersey and he received in reply a telegram authorizing him to take the man to the nearest military post, which was at Fort Screven, Ga. This man bought two railroad tickets, carried the prisoner to Fort Screven, and delivered him to the commanding officer at that point. He filed a claim for the \$50 reward and about \$27.70 railroad fare and expenses. The Secretary of War refused to pay the reward on the ground that the man had been a deserter for more than two years. I feel this bill should be amended so as to include \$50 reward, but it does not carry it. It is just to pay him his actual expenses.

Mr. PATTERSON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated to J. W. Nix, of Yemassee, S. C., the sum of \$77.72 in full compensation for reward and expenses incurred in apprehending and delivering one Randolph A. Jones, a deserter from the United States Army.

With the following committee amendment:

In line 6 strike out the figures "\$77.72" and insert the figures "\$27.72."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

R. K. STILES & CO.

The next business on the Private Calendar was the bill (H. R. 7849) for the relief of R. K. Stiles & Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kansas whether or not



the city did not agree to take over and forever maintain this cemetery property, where the wall adjacent to the street fell in, and whether or not at the time it fell in it was not under the jurisdiction of the city and the city is liable rather than the Government?

Mr. GUYER. It is not adjacent to the street. The city takes care of the walls adjacent to the street, adjacent to private property which abuts on the street, as will be seen by these photographs. The Interior Department, through Mr. Blair, of Haskell Institute at Lawrence, Kans., examined this proposition, and having no money appropriated with which to do the work, and it being an emergency, it approved the building of the wall and authorized R. K. Stiles & Co. to go ahead with the wall set 3 feet into the cemetery.

Mr. BACHMANN. Let me ask the gentleman whether it is not true that the act of September 18, 1916, appropriated \$10,000 for the preservation and improvement of the cemetery on condition that the city construct and maintain the necessary outside retaining walls adjacent to streets, pursuant to which a contract was approved on April 17, 1918, whereby the city agreed to forever maintain and care for the cemetery in the same manner as other parks in that part of the city?

Mr. GUYER. Yes; they were to take care of the grass, trees, and so on, but not this wall adjacent to private property.

Mr. BACHMANN. It was provided in that act that the city was to forever take care of it and assume jurisdiction over it. That being true, should not this claim be made against the city before you come to the Government to be reimbursed?

Mr. GUYER. The city attorney and the Government thrashed it out and they came to the conclusion that the Government should pay it because it was a Government institution. The act which was passed appropriating \$10,000 did not provide that they should take care of these walls, except those adjacent to the street.

Mr. BACHMANN. But already \$10,000 has been appropriated and the city entered into a contract to take care of this cemetery.

Mr. GUYER. To take care of it as a park, to look after the lawn. To quote the context:

The city of Kansas City, Kans., agrees to forever maintain, care for, preserve the lawns and trim the trees, and give the grounds the same and equal care of city parks \* \* \* furnish police protection equivalent to that furnished to the protection of Huron Park; furnish all electrical energy free of charge for the maintaining of electric lights—

And so forth. But not a word about maintaining walls adjacent to private property. The city would have done this if it had been its duty.

Mr. BACHMANN. And take care of the adjacent walls.

Mr. GUYER. Adjacent to the street, but this is not adjacent to the street; it is adjacent to private property.

Mr. COLLINS. They claim it is adjacent to the street.

Mr. GUYER. No; it is not.

Mr. COLLINS. The report says North Seventh Street.

Mr. GUYER. But this is not adjacent to the street. Here is a photograph that shows it is adjacent to private property and back of Seventh Street.

Mr. STAFFORD. I well remember the occasion when the gentleman's predecessor, Mr. Little, passed a bill through the House providing for the maintenance of this cemetery upon the understanding that the city would maintain it, and the appropriation was made with that understanding. Now, is the gentleman contending that the city should not live up to its agreement?

Mr. GUYER. There is an obligation for them to take care of these retaining walls adjacent to the street as agreed upon, but no other walls.

Mr. STAFFORD. It was not the retaining walls, but it was to maintain the cemetery.

Mr. GUYER. To light it, take care of the grass, trees, and to police it, and so on, and to take care of the walls which the Government built along the street.

Mr. COLLINS. The act referred to provided for the preservation and improvement of the cemetery and the construction and maintenance of the necessary outside retaining walls adjacent to the street, and so on.

Mr. GUYER. Adjacent to the street; yes.

Mr. COLLINS. But the bill undertakes to require the United States to pay for work which the city is required to do.

Mr. GUYER. I do not think it does. The contract or agreement only mentions walls adjacent to streets.

Mr. COLLINS. Of course it is. There is a contract with the city for the city to pay for the work that you now ask Congress to pay for.

Mr. GUYER. To take care of these outside walls but not to take care of this wall which the Government put up and which afterwards fell down.

Mr. COLLINS. The act which was passed appropriated \$10,000 for the preservation and the improvement of the cemetery.

Mr. GUYER. And then the city was to take care of it, light it, and police it.

Mr. COLLINS. It is only two acres. It is very small, and \$10,000 is certainly an ample amount to take care of all expense that the United States should be asked to contribute.

Mr. GUYER. Yes; it is very small, but it is full of Indians, and it is from 12 to 15 feet above the street level.

The assistant commissioner writes this:

The superintendent's report discloses the fact that it was essential to rebuild the wall at once for the protection of adjacent property, as well as the cemetery itself; that owing to the impracticability of reconstructing the wall at its original location, it was necessary to build it about three feet inside the cemetery line.

And the department reports:

With the foregoing statement of facts the matter is submitted for such action as Congress may consider appropriate.

Mr. BACHMANN. But there is a further sentence to the effect that no promise was made that they would be reimbursed. This may be a proper moral obligation on the part of the Government, but I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. Objection is heard.

#### FEDERAL LAND BANKS

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Federal farm loan banking bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Speaker, the Sixty-seventh Congress was overwhelmingly Republican—I had been retired from Congress for two years—together with scores of others of my Democratic colleagues in the House. The Harding administration, with all its graft and corruption, was in full swing. Any Member of Congress, if he had been advised as to what the farm-land bank bill of that Congress contained could have stopped the commission of the crime to which I am about to call attention. There were few Democrats in the Sixty-seventh Congress. No Member of the House had an opportunity to read the clause in the agricultural credits act of 1923 to which I am about to call attention before it was adopted. A mere statement on the floor of either House as to what this clause accomplished in the matter of taking away the control of the Federal land banks from the farmers would have defeated the proposition—neither branch of the Congress would have dared to vote for such a proposition if it had been understood. I make no charge that any Member of either branch of the Congress is responsible for what happened—apparently none of them knew it was there.

Our Federal farm-loan system had been in operation seven years. It had been successfully operating—almost a million dollars a day were being loaned to farmers. Under the act of 1916 it was contemplated that the farmers should control the system. The original act provided for 9 directors for each Federal land bank, 6 of them to be chosen by the stockholder borrowers to represent the stockholder borrowers, 3 of them to be selected by the Federal Farm Loan Board to represent the public.

During the war, however, it became necessary to authorize the Secretary of the Treasury to purchase \$200,000,000 worth of Federal land-bank bonds in order to insure the sale of Liberty bonds which carried a lower rate of interest. The amendment also contained a provision by which the temporary organization of the banks, under which a board of five directors were appointed by the Federal Farm Loan Board, should be continued until all of the bonds purchased by the Treasury were paid or repurchased from the Treasury. Also when the system started out the Government owned all stock—the stock had been rapidly taken up by the farmer borrowers and more stock was being issued as more loans were being made.

In 1923 the necessity for the war amendment had passed—the bonds purchased by the Treasury had been substantially paid for or repurchased from the Treasury. The time had come when the war amendment was no longer operative and the time had come to repeal it. A repeal of it would have given to the farmer borrowers six directors out of the nine and would have given to them the control of the banks they owned.

#### OPPORTUNITIES FOR GRAFT

The opportunities for graft were just beginning to be understood by the corrupt Harding administration. The life of the Sixty-eighth Congress was about to commence—elections had



been held and the new Congress—the Sixty-eighth—was also in the complete control of the Harding administration.

In order to develop the possibilities for graft in the Federal land-bank system it was necessary for the "Ohio gang" to steal the banks from the farmer, and they did it.

On January 3, 1923, Senate bill 4280 was introduced in the Senate. It established the Federal intermediate credit banks, and it was an addition to the Federal farm loan act. It did not, however, in its original form contain the clause under which the banks were stolen from the farmers. It did not contain it when it passed the Senate.

It passed the Senate on January 19 and came to the House.

On February 28, 1923, the bill came up in the House—it was discussed at considerable length, but the discussion had to do with the establishment of intermediate credit banks and the clause to which I am calling attention was in no manner referred to in the debates in the House on that day.

The House recessed late in the afternoon of February 28 and convened again at 8.30 o'clock at night on the same day. The bill then came up for consideration under the 5-minute rule and an amendment was offered on the floor which practically struck out everything after the enacting clause and substituted a new bill. The amendment so substituted was an administration amendment—a request for it came from the White House—it contained substantially the matter in the original bill, but in addition to that it contained the clause to which I am now calling attention. The amendment was considered as one section—it was read in its entirety by the reading clerk, no Member of the House present that evening had even an opportunity to read the amendment—it had not been printed in any form up to that time.

There was some considerable discussion under the 5-minute rule, but no reference was made in the discussion to the clause to which I am now calling attention. Just before 11 o'clock at night the amendment was adopted by the House in Committee of the Whole. The committee reported the bill, and at 11 o'clock the House adjourned. There was evidently no quorum present when the bill was reported back to the House.

Up to this time not a word had been said on the floor as to this particular clause.

The House reconvened on the next day, March 1, at noon, and the report of the committee was adopted. Not a word was said at that time as to the objectionable clause.

The bill then went to the Senate, and on the same day, March 1, the Senate requested the appointment of conferees. The conferees agreed upon their report. The conference report again struck out the entire bill and substituted another bill containing some rather unimportant changes but containing also the objectionable clause to which I am calling attention.

On the night of March 3 the Senate agreed to the conference report without reading it, just before the adjournment of the Senate, and the Senate adjourned at 1.36 o'clock a. m. on Sunday, March 4, to reconvene again at 10 o'clock a. m. No mention whatever was made on the floor of the Senate of the clause to which I am calling attention. On the same day, March 3, late in the afternoon the conferees' report was adopted in the House—again not a word was said about the clause to which I am calling attention. The next day, Sunday, March 4, the President signed the bill as soon as it reached him, and the theft of the land banks was completed.

#### HOW IT WAS DONE

The matter inserted at the request of President Harding provided for 7 directors of each Federal farm bank—3 of them to be selected by the stockholders to represent the stockholder borrowers of the system, 3 to be selected by the Federal Farm Loan Board to represent the public, and the farmer stockholder borrowers were authorized to vote for a fourth member, to be called a director at large. The names of the three candidates for director at large receiving the highest number of votes were to be forwarded to the Federal Farm Loan Board, and from these three names the Federal Farm Loan Board were authorized to select the seventh member—this gave the Federal Farm Loan Board four members and the farmer owners of the system were permitted to have only three members. The control of the banks passed then from the owners of the stock in the banks to the Federal Farm Loan Board.

The Federal farm-land bank presidents were then advised by the board to so manipulate the elections that the president of each bank should receive the highest number of votes, and the presidents were advised that if they did not receive the highest number of votes it would be considered by the Farm Loan Board that they did not have enough strength in their banks to warrant their continuance as presidents. As a result of this advice, for a considerable period of time, through violent and questionable electioneering methods, the presidents of the banks

succeeded in getting the highest number of votes and for a considerable period of time the presidents of the banks were enabled, in most of the banks, perhaps in all of them, to become also directors of the banks. The presidents of the banks, of course, would be subservient, always, to the Federal Farm Loan Board, and in selecting a subservient director the Farm Loan Board would be relieved from the charge that they had selected as the seventh director a man who did not receive the highest number of votes.

I do not know whether this method still prevails or not, but if the president of a farm land bank does not prove to be subservient and willing to take orders from the Federal Farm Loan Board it is always possible to select one of the other two highest who will be subservient and perhaps this has been done in some cases, I do not know; it is extremely difficult to get information on these subjects.

#### HOW THE STEAL WAS CONDUCTED IN THE HOUSE

The Federal farm loan banks are a corporation; a majority of the directors control the policies and the destinies of any corporation. Only three days remained of the life of the Sixty-seventh Congress; night sessions were being held. During the last three days of any session grafting propositions are adopted in such a manner that Members may have no opportunity to discover the graft. Only a few Members were present when this graft was consummated, and they were given no opportunity to know what this section was. In the report of the conferees, not a word was said in explanation of it on the floor of the House; the bill was an exceedingly involved bill; it required some study to know what was in it. The amendment was hurriedly read by the reading clerk.

The report in the Senate was adopted in the same clandestine manner, in the nighttime, and no explanation was made on the floor of the Senate as to this particular clause. With this clause in the bill, the bill was quickly sent to the White House and was cheerfully signed, of course, by President Harding. If all the facts were known, there was probably congratulations and rejoicing over the cocktails in "the little green house on K Street" when it was known that the plan had gone through and that the banks had been stolen.

The law remains on the statute books to-day, a part of the graft of the Harding administration, and will probably stay there just as it is until the political revolution occurs, which seems not now to be far away.

#### FAT PERQUISITES

Since the farmer-stockholders have been deprived of the control of their property and their large investment, aggregating \$1,200,000,000, fat perquisites have sprung up. The money of the farmers is being spent by officeholders. It is impossible to tell from any existing public document I have been able to find how many employees there are in the system. It has been said that there are 800 employees in the Federal farm loan system and more than that in the joint-stock land-bank system, probably 2,000 employees in all. There is no political plum tree more attractive than this—it corresponds in its opportunities for political graft with nothing I can think of in American public life except the Chicago Sanitary District.

The officers of each Federal land bank are authorized to employ as many officials as they please and to fix their salaries; but even this provision, bad as it is, in that it deprives the farmer borrower of any voice in the matter, is made worse by the fact that this right to employ officials and to fix their salaries is subject to the approval of the Federal Farm Loan Board—the same board which is now operating in such an inefficient and incompetent way. Therefore this graft can be charged also to the Federal Farm Loan Board.

#### GRAFT IN THE FEDERAL FARM LOAN BOARD

The Federal Farm Loan Board is authorized to appoint as many appraisers, inspectors, registrars, deputy registrars, and examiners as it may deem necessary, and it fixes their salaries. The board is authorized to employ one or more land-bank appraisers for each district and to fix their compensation, and the compensation of employees so fixed by them in the Federal Farm Loan Board and in the banks is fixed at amounts ranging from \$1,500 to \$20,000 a year, and even more than that. There are absolutely no civil-service regulations whatever. No wonder the banks are going bad. I know of no document which gives information as to the expense of conducting the 12 Federal land banks and the 47 joint-stock land banks now functioning; but this is true, whatever it is, the farmer borrowers and the stockholders pay it all—it all comes out of what might be their dividends and profits. No wonder six of the Federal land banks have suspended dividends to stockholders—one-half the entire system. Under the law the President can put these employees of the Federal Farm Loan Board under the civil



service at any time. In his inaugural message President Hoover talked about the "boon" of the civil service. So far he has taken no steps whatever to end the political control, for political purposes, of the Federal land-bank system.

#### IMPOSSIBLE TO GET AN INVESTIGATION

It is impossible to get resolutions of investigation introduced in both Houses of the Congress even reported out by committees. There will be no investigation of this outrageous situation until the stockholder borrowers in the Federal land-bank system find out what has happened to them, and they are not going to find it out if the Federal land-bank presidents and their satellites and their employees can prevent it. I am just in receipt of a letter from the president of the Federal Land Bank of St. Louis refusing to give me the names and post-office addresses of stockholder borrowers in Illinois. I have asked a number of secretary-treasurers of national farm-loan associations to send me the names of the members of their association, together with their post-office addresses, and have so far been refused this information. One of these secretary-treasurers advised me that if I wanted to send literature to the farmer members of his organization to send it to him and if he approved of it he would send it out to his members. Therefore, if the farmer borrowers find out what is happening to them and what is going to happen in the near future they are going to be compelled to find it out from articles which may appear in the daily papers.

I am receiving threatening letters from Federal land-bank officials—the following extract from a letter of the president of the Federal Land Bank of St. Louis is a fair sample:

The Federal Land Bank of St. Louis has furnished in the aggregate millions of dollars in your district to hundreds of your constituents. Whether a continuance of your speeches and statements, as forecast in your letter of June 6, will injure us to the point where we are unable to continue service to our district is a contingency which only the future can determine, but in the event such an unfortunate position should be reached, our board of directors, I am sure, will not shrink from its duty to place the responsibility where it belongs.

I am receiving complaints and threats couched in almost identical language from secretary-treasurers of national farm-loan associations—one of them in his communication calls me a traitor to agriculture.

#### SECRETARY-TREASURERS OF NATIONAL FARM-LOAN ASSOCIATIONS KEY MEN THROUGH WHOM MEMBERS OF CONGRESS ARE THREATENED AND MADE SUBSERVIENT TO LAND-BANK PRESIDENTS

Gertrude Mathews Shelby in her articles reviewing the farm-loan situation for *The New Republic* in February, 1929, has this to say about secretary-treasurers of national farm-loan associations—Miss Shelby is an expert on the subject and has given it most careful study:

Land-bank presidents maintain a legislative committee to recommend congressional action; \* \* \* they have developed means of pushing bills they favor and blocking those they fear—of course, in the name of the stockholders. \* \* \* Consequently, bills which might correct glaring abuses are never reported, while frequently legislation adverse to stockholders' interests is enacted. \* \* \* Furthermore, in various districts the land-bank machine maintains federations of the key men of local associations, the secretary-treasurers. By the policy of the board and banks, these are usually not stockholders but outsiders, local business men. If the legislative committee and the bank advocate or oppose certain action, it often happens that letters and wire pile up on the desks of certain committee members in Washington. Hearing from our boys in the associations back home, the Members naturally may be influenced in their decisions. The land-bank machine has used a shrewd technique to get what it wants from Congress, and the Federal Board sometimes takes the lead.

#### THREATS I AM RECEIVING

I can say from my own experience that Miss Shelby is right. I am beginning to hear from these key men. I am not going to quote from their letters now; at some future time I may find it necessary to do so and to tell who they are. I propose, however, to continue my efforts until these farmer borrowers—500,000 of them—are advised as to what is happening to them.

Officials of the Federal Farm Loan Board and the Federal farm land-bank system are all willing to agree that the joint-stock land-bank system is in trouble, but the moment you call attention to the Federal land-bank system you meet all sorts of denials and threats.

Before the reorganization of the Federal Farm Loan Board it was possible for Members of Congress to obtain the names of stockholder borrowers in the Federal land-bank system; this information was always cheerfully furnished, but the system is now in trouble and it becomes important to chloroform, in some way, the farmer borrowers and to keep from them informa-

tion as to what is happening to them. Every secretary-treasurer of a National Farm Loan Association in Illinois which has been induced to send to me threatening letters has so far refused to comply with my request asking for the names of stockholder borrowers in his particular organization so that I can advise them as to what I am trying to do for them. These secretary-treasurers—some of them receive a compensation as high as \$4,000 a year, most of them much less than that—are evidently obeying orders they have received from the banks.

If I get this information, it will be necessary for me, at my own expense, to get it from a long and tedious examination of the mortgage records of the counties from which secretary-treasurers are sending me these communications. I am, therefore, in the position of being assailed by the secretary-treasurers of these organizations and by the president of the Federal Land Bank of St. Louis and my motives misconstrued and misrepresented, and these officials do not have sufficient courage to send me the information which will enable me to tell the stockholder borrowers they claim to represent what I am trying to do for them and what my position is, and what is happening to them and what will happen to them in the future unless they are in a position to violently send protests to their Members of Congress.

So far the splendidly oiled machine of the farm-loan banks works smoothly—their stockholder borrowers are to be kept in complete ignorance as to what is happening and are to accept the inspired publicity which comes through a subservient daily press as to the soundness of the Federal farm-land bank system.

I evidently have given too close a study of the situation to please these officials—I know too much about what they are trying to do. Their graft, whatever happens to the farmers, must be preserved.

#### WHAT HAS HAPPENED TO THE FEDERAL LAND BANKS AND THE JOINT-STOCK LAND BANKS

##### *Suspension of dividends*

At the present time less than half of the joint-stock land banks have suspended dividends to stockholders. A suspension of dividends is always an indication that a corporation is not succeeding. Exactly one-half of the Federal land banks have suspended dividends. Using this particular index, the Federal land banks are in a worse condition than the joint-stock land banks.

##### *Ownership of lands*

On the 31st day of March, 1930, the joint-stock land banks owned outright land to the amount of \$15,234,134.44. On the same day the Federal land banks owned outright land to the amount of \$17,634,593.56. The ownership of land by these banks is an indication of lack of success in operation. The Federal land banks seem to be about as bad off as the joint-stock land banks.

##### *Receiverships*

There are three joint-stock land banks in receivership—the Ohio Joint Stock Land Bank, the Bankers of Milwaukee, and the Kansas City, involving assets of over \$92,000,000—a bad showing, indeed. But the Spokane Federal Land Bank is in a camouflaged receivership, involving assets of over \$106,000,000. Two other Federal land banks—the Columbia and the St. Paul—are in a worse condition than the Spokane, and the same camouflaged receivership may soon be applied to them. They each own approximately \$4,000,000 worth of real estate. If this happens, the assets of these three Federal land banks (one-fourth of the entire system), amounting to over \$264,000,000, will be embraced in these camouflaged receiverships.

#### *The Federal land banks which have suspended dividends and the land they own*

The six Federal land banks which have suspended dividends are the following: St. Louis, Springfield, Columbia, New Orleans, St. Paul, and Spokane. These six banks, out of the \$17,000,000 worth of real estate owned by the Federal land banks, own over \$13,000,000 worth. Already the other 11 banks have been compelled to loan to the Spokane bank nearly \$3,000,000 in cash and to accept Spokane certificates for it. These certificates are charged up against the national farm-loan associations and, of course, against the stockholder borrowers in the entire Federal system. This \$3,000,000, or nearly that much, represents direct losses stockholders have already sustained on account of the bad management of the Spokane bank, and this is not all—the Spokane bank owes on these certificates \$440,000 in interest charges which it has not paid. When the other two Federal land banks which are in trouble are subjected to the same kind of a receivership the result will be appalling, indeed, to stockholder borrowers. The land assets of the Spokane bank have been taken over by a commission, with an expensive personnel of 40 members, and this commission is now administer-



ing upon the land. This commission adds that much to the very large personnel of the Federal farm loan system and farmer borrowers everywhere in the system are paying this expense, as they are paying the cost of the entire expensive overhead of all the Federal farm-loan banks.

#### *Inspired publicity*

A carefully arranged publicity is continually calling attention to the alleged fact that the Federal land-bank system is sound under its present management. It is, therefore, interesting to note just what assets this system has which can be considered sound. They own of Government bonds a little over \$18,000,000 and they have of cash a little over \$9,000,000—a little less than \$30,000,000 of good assets—and this is all, except that they own \$17,634,593 worth of land, which, under the present inefficient methods of the Federal land banks and the Federal Farm Loan Board, is continually depreciating in value. The Federal land banks own now \$3,000,000 more of real estate than they owned on the 31st day of December, 1928. These banks hold mortgages on real estate given by farmer-borrowers, on which there is due at the present time a little over \$1,196,000,000, and this paper is being continually decreased in value by the liquidating policies of the Federal Farm Loan Board.

#### *Bonds of the Federal system*

When Federal land-bank officials call attention to the soundness of the system, they always insist that the bonds of the Federal land banks are selling nearer par than the bonds of the joint-stock land banks, and that, of course, is true—they are selling nearer par on account of the fact that 500,000 farmers have pledged their farmsteads and their very lives to keep them at par or nearly at par. On account of the interlocking obligations, to which they are all a party, although few of them understand it, these 500,000 farmers are working every day through the hot suns of summer to preserve the holdings of rich men who have invested in the tax-free obligations of the Federal farm-loan system.

#### *The unbelievable obligations assumed by stockholder borrowers in the Federal land-bank system*

First. They have been required to take stock for one-twentieth the amount of their loan—the stock they take is included in their loan. Out of every \$100 for which they mortgaged their farms they got only \$93—the rest went to pay for their stock, to pay for appraisals, examinations, and the fees of secretary-treasurers. They are actually paying interest on the stock they bought, and in the case of the six Federal land banks which have suspended dividends they are paying interest on stock which pays no dividends whatever. They have assumed the obligations of the Spokane bank, the Columbia bank, and the St. Paul bank which are now in difficulties.

Second. The only constructive measure proposed by this administration is the Letts bill, which makes it possible for the Farm Loan Board, arbitrarily and without "a day in court," for stockholder borrowers to enforce against stockholder borrowers a double liability.

Third. Stockholder borrowers in the Federal system can lose their farms, and if their farms sell for less than the amount due on their mortgages they are personally liable for the balance, whenever through their industry and their initiative they acquire any more property. They are also liable to lose entirely the stock they think they own, and, in addition to that, they can be arbitrarily assessed at the pleasure of the Farm Board an amount equal to the value of the stock payment which is included in their mortgages, and with all these conditions confronting them the control of their own banks has been stolen from them surreptitiously by the act of 1923. Every stock liability to which I have above called attention extends not only to the obligations of the Federal farm bank from which they have borrowed their money, but it extends also to obligations incurred by all the other banks in the Federal system.

Fourth. If farmer borrowers are in default in their amortization payments they can be charged 8 per cent on the amount for which they are in default until they pay it—a usurious rate in Illinois and in most States—it is doubtful whether it can be enforced if farmer borrowers resist it in the courts, but resistance would be expensive. If they do not pay their taxes when due and there are judgments against them and their national farm-loan associations pay the same they can be charged 8 per cent on these amounts, also a usurious rate in most States.

Fifth. Farms owned by both systems everywhere are being sold at distress prices; they are not being held although they could be held for five years under the law and indefinitely thereafter by consent of the Federal Farm Loan Board, and the distress prices they sell for fixes always lower farm values on the farms which have been mortgaged and upon which farmers are endeavoring to meet their amortization payments.

Sixth. Under the law a defaulted amortization payment can be carried for two years before a mortgage is foreclosed—this provision of the law is being entirely ignored by the Federal Farm Loan Board, and foreclosures are being instituted everywhere a short time after the default occurs.

With the exception of minors and Indians no class of people in this country are so completely wards of the Federal Government as are stockholder borrowers in the Federal land-bank system, and the Government is proving to be a bad guardian indeed.

In addition to all the above they are paying the grossly excessive expenses of the inefficiently managed farm-loan banking systems.

Stockholder borrowers have not in fact mortgaged their farms, they have "pooled" their farms, for all the purposes to which I have called attention.

#### *The new regulations and their effect on farmer borrowers*

The Federal Farm Loan Board has just announced new regulations for the appraisal of land held by both systems. When farms in the future are taken over they are to be immediately appraised at the approximate price they will bring on the market "in a reasonable time," but all farms now held by the banks in both systems are to be reappraised, and the value fixed will be the approximate price farms will sell for within a year. Farms hereafter taken over are subject to this same appraisal treatment one year after they are taken over.

There is no sale for farms now. We are undergoing a land panic. The prices fixed now under this system will mean, in all probability, another charging off by the banks in both systems, which will throw more joint-stock land banks into receiver-ships, and it will increase the difficulties of the Federal land banks now in trouble and the Federal land banks which have suspended dividends.

My farm land bank bills—I have introduced two—have been introduced for purposes of study only by the committees; I am not insisting upon the passage of either of them. One bill provides for a superbank to administer on lands now taken over and to issue securities against the lands so taken over. The other has similar objects.

#### *A complete remedy*

I introduced on June 20, 1930, still another bill, and this bill will provide what I think will be a complete remedy. It is drawn upon the theory that inasmuch as the Harding administration stole from the farmers their banks in the Federal system, which theft has been condoned and approved by subsequent administrations, the Federal Government should assume the obligations of the Federal land banks and relieve the stockholders.

The Federal Government ought to take over the stock now held in trust for farmers, giving to farmer borrowers a credit on their mortgages to the amount of stock they own and accumulated dividends on the same. The same treatment can be applied, with the restrictions set out in my bill, to the joint-stock land banks. The Federal Government will then own the assets of such of both systems of banks as elect to come under my bill, including the domain of farms they have taken over. The Federal Government can hold these farms out of cultivation, if it desires to do so, until such time as they can be sold without loss, and that will be after the present land panic has subsided. There are a few joint-stock land banks which will not vote to come under my bill, but the stockholder borrowers of the Federal banks will, if given the opportunity, vote to accept the provision of my bill.

As the bonds mature and can be refunded the Federal Government can refund them at lower rates of interest than now prevail for tax-exempt securities, providing against speculators by refunding them only at the price the present holders paid for them. Borrowers in the joint-stock land-bank system pay a little more for the money they have borrowed, but the interlocking liabilities which the stockholder borrowers in the other system are compelled to assume does not apply to them. This system of refunding will make it possible also to lower the interest rate on mortgages taken out under the several bond issues and will lower the interest burden upon the farmer borrowers in both systems.

Farmers are now making approximately 4 per cent on what they have invested in their farming operations—they are paying on their mortgages from 5½ per cent to 6½ per cent. Farmers are paying more for the money they borrow under our nationally controlled systems than the farmers in other competing agricultural nations operating similar Government-controlled systems. The Government recently borrowed money on its tax-free obligations for 2½ per cent. It is not too much to assume at the present time that the Government could borrow, on long-time obligations, at 3½ per cent or even less than that.



*Civil service*

May I venture to hope that President Hoover will remove the Federal land-bank system from its present political control but putting its employees under the civil service, as he is authorized by law to do? If he does this, it will be possible to get this system out of political control; and if that is accomplished, we may be able to get measures out of the committees which will remedy some of the difficulties to which I have attempted to call attention. In a speech of this length I have only been able to call attention to some of the deplorable conditions which exist to-day in the Federal farm land-bank system, and the joint-stock land-bank system is just as bad.

I herewith print a copy of the bill I have introduced providing for the liquidation of the banks and the establishment of a Federal merger land bank and the reduction of interest to borrowers. Through a clerical omission the bill does not contain a clause lowering the interest to borrowers from joint-stock land banks. The bill will be reintroduced later and will contain a clause similar to the interest provisions applying to Federal land banks.

A bill providing for the voluntary liquidation of Federal land banks and joint-stock land banks, the establishment of a Federal merger land bank, and the lowering of interest rates to borrowers

*Be it enacted, etc.,* That any Federal land bank organized and doing business under the provisions of the act of July 17, 1916, as amended, may surrender its charter, suspend its operations, and turn over all of its assets to the Federal merger land bank hereinafter provided for, provided such suspension has been duly authorized by a vote of a majority of the shares held by the stockholders in said Federal land bank.

In voting under this section each national farm-loan association shall be entitled to cast a number of votes equal to the total voting strength of the stockholders in such associations, and each borrower through agencies shall be entitled to cast one vote for each share of stock held by him in the Federal land bank not exceeding 20 shares, all of said votes to be forwarded to the farm-loan commissioner within 10 days after said votes have been cast. At least 10 days' notice in writing of said vote shall be given to all said shareholders by the farm-loan commissioner whenever 25 or more national farm-loan associations operating under any Federal land bank shall by their several resolutions so request the farm-loan commissioner.

Whenever said suspension has been determined upon said Federal merger land bank shall thereupon take over all the stock of said bank and all of the assets of said bank and assume all the liabilities of said bank, and said Federal merger land bank shall credit each stockholder in said Federal land bank on his note and mortgage to said Federal land bank with the full amount of stock issued to him and all unpaid accrued dividends thereon, and each of said stockholders shall thereupon be released from all obligations under his mortgage contract with his Federal land bank except his amortization payments.

SEC. 2. That any joint-stock land bank organized and doing business under the provisions of said Federal farm loan act of July 17, 1916, as amended, may surrender its charter, suspend its operations, and turn over all of its assets to said Federal merger land bank, provided such suspension has been duly authorized by the vote of the holders of a majority of the shares of said joint-stock land bank at a regular meeting or at a special meeting called for that purpose of which at least 10 days' notice in writing shall be given to the shareholders by the president of said joint-stock land bank; and when said suspension has been determined upon the Federal merger land bank shall thereupon take over all the assets of said bank and assume all the liabilities of said bank and shall deliver to all the bondholders of said bank and to all the shareholders of said bank Federal merger land bank bonds as herein provided for.

Under rules and regulations to be promulgated by the Federal merger land bank the shareholders and bondholders of said joint-stock land bank so voting to suspend shall receive in lieu of their stock and bonds Federal merger land bank bonds at par and accrued interest to the amount the holders of bonds in said bank and the holders of stock in said bank may have paid for their bonds and stock prior to July 1, 1930, not to exceed par, in the case of bonds together with accrued interest on said bonds.

SEC. 3. That section 15 of the agricultural marketing act, approved July 15, 1929, is hereby amended as follows: After paragraph (f) of said section add a new paragraph to read as follows:

"(g) The Federal Farm Board is hereby authorized to organize and establish a Federal merger land bank with such officers and employees as may be necessary and to fix the salaries of said officers and employees and to provide for suitable offices for said bank in such city or cities as the Federal Farm Board may select. Said Federal merger land bank is authorized to take over and administer upon all the assets of any Federal land bank or any joint-stock land bank voting to surrender its charter and suspend operations and to assume all liabilities of said bank and to distribute the Federal merger land-bank bonds hereinafter provided for in the manner hereinafter provided. Said Federal merger land

bank in administering upon any farms so turned over to it, as a part of the assets of any Federal land bank or any joint-stock land bank, may hold out of production such farms as it may designate for such period of time as it may designate under regulations to be made by said Federal merger land bank, said farms so held out of production to be used only for grazing purposes and to be planted in legumes or in such grasses as may add to the fertility of said lands, and said Federal merger land bank shall place on the market and sell such of said farms as it may designate upon such terms and in such manner as it may designate."

SEC. 4. (a) That the Secretary of the Treasury, with the approval of the President, is hereby authorized to borrow, from time to time, on the credit of the United States for the purposes of this act such amounts as may be necessary to carry out the purposes of this act and to issue therefor bonds of the United States.

The bonds herein authorized shall be in such form and subject to such terms and conditions of issue, conversion, redemption, maturities, payment, and rate and time of payment of interest, not exceeding  $3\frac{1}{2}$  per cent per annum, as the Secretary of the Treasury may prescribe. The principal and interest thereof shall be payable in United States gold coin of the present standard of value and shall be exempt, both as to principal and interest, from all taxation, except estate or inheritance taxes, imposed by authority of the United States or its possessions, or by any State or local taxing authority; but such bonds shall not bear the circulation privilege.

The bonds herein authorized shall first be offered at not less than par as a popular loan, under such regulations prescribed by the Secretary of the Treasury as will give all citizens of the United States an equal opportunity to participate therein; and any portion of the bonds so offered and not subscribed for may be otherwise disposed of at not less than par by the Secretary of the Treasury; but no commissions shall be allowed or paid on any bonds issued under authority of this act.

(b) Said bonds shall be turned over to said Federal merger land bank upon its demand for the same in sufficient amounts, with accrued interest, to enable said Federal merger land bank to take up the stock and the bonds of joint-stock land banks so voting to liquidate under this act and shall be delivered by the Federal merger land bank to stockholders and bondholders in sufficient amounts with accrued interest to accomplish the purposes of this act.

(c) Whenever it shall be possible to redeem and pay off any issue of Federal land-bank bonds of any Federal land bank so voting to surrender its charter and cease operations a sufficient amount of the Federal merger land-bank bonds provided for in this act shall be issued by the Secretary of the Treasury and shall be sold by him and out of the sum realized therefor said issue of bonds shall be taken up by the Secretary of the Treasury and shall be canceled. The Federal merger land bank shall deliver to the Secretary of the Treasury its own obligations drawing the same rate of interest and carrying the same maturity dates as said Federal merger land-bank bonds so issued and sold by the Secretary of the Treasury for said purposes, which said issue of Federal land-bank bonds shall be held by the Secretary of the Treasury as pledged for said issue of Federal merger land-bank bonds, and thereupon the interest rate of each borrower from said Federal land bank so voting to surrender its charter and discontinue, who obtained his loan out of the moneys realized from the sale of said issue of bonds so paid off and canceled, shall be reduced by as much as shall be the difference between the interest rate on the issue of bonds so paid off and canceled and the interest rate carried by said issue of Federal merger land-bank bonds, and his amortization payments shall be readjusted and reduced by as much as said interest rate is reduced.

(d) Said Federal merger land bank is hereby authorized and directed to make such new loans as it may approve and to make requisition on the Secretary of the Treasury for the sale of bonds sufficient to accomplish such new loans and shall deposit with the Secretary of the Treasury its own obligations as provided in this act. Such new loans shall be limited to the territory now by law allotted to the Federal land banks and the joint-stock land banks so voting to surrender their charters and cease operations.

(e) In the organization and transaction of the business of the Federal merger land bank the Federal farm loan act of July 17, 1916, as amended, so far as the same may be applicable and not in conflict with this act, shall be operative and shall control.

SEC. 5. That the President of the United States is hereby directed to place in the classified service all the employees he is authorized to place in the classified service under the Federal farm loan act of July 17, 1916, as amended, and the President of the United States is directed to place in the classified service all the employees of Federal land banks and joint-stock land banks except the presidents and directors of said banks.

All the employees of the Federal merger land bank provided for herein, except the president and directors of said bank, shall be placed in the classified service.

SEC. 6. That this act may be cited as the "Federal merger land bank act."

RALPH RHEES

The next business on the Private Calendar was the bill (H. R. 8612) for the relief of Ralph Rhees.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I reserve the right to object to ask a question. Were there any regulations of the Army in France requesting these men to deposit their money with their commanding officers?

Mr. IRWIN. The policy always was that the soldiers were encouraged to deposit their money in this way. There was not any rule about it, it was just merely a matter of encouragement on the part of the officers as a way for the soldiers to save their money.

Mr. PATTERSON. No encouragement or no order went out from the War Department to that effect?

Mr. IRWIN. The War Department had issued orders to the commanding officers to encourage the men to do this, but there was no law to that effect. They could not compel them to do this, but simply encouraged them to do it.

Mr. PATTERSON. I knew there was no attempt made to compel them.

Mr. IRWIN. But the policy of the War Department was to encourage this practice.

Mr. PATTERSON. Does the chairman of the committee feel that in view of all the circumstances we should pay these claims?

Mr. IRWIN. I think where the loss was through no negligence of the soldier boy, who was getting very little pay—

Mr. PATTERSON. Of course, I realize that.

Mr. IRWIN. I feel where there was no carelessness on the part of the soldier boy and in view of the fact the War Department and the commanding officers encouraged the boys to do this as a matter of safe-keeping and to induce frugal habits, the bill should be passed.

Mr. PATTERSON. I withdraw my reservation of objection, on the statement of the chairman.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is authorized and directed to allow and certify to the Secretary of the Treasury for payment the claim of Ralph Rhees, former private, Company A, First Replacement Battalion, United States Army, Camp Pontanezen, Brest, France, for deposit made by him of 150 French francs with his commanding officer as provided by Army regulations and not accounted for by said commanding officer, with interest to date of discharge, amounting to \$26.59 United States currency, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$26.59 to pay said claim.

With the following committee amendment:

Page 1, line 11, strike out "\$26.59" and insert in lieu thereof "\$25.66."

The committee amendment was agreed to.

The SPEAKER pro tempore. The Chair will call the attention of the Member in charge of the bill to the fact that obviously a similar amendment should be inserted in line 2, page 2.

Mr. IRWIN. I offer that amendment, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. IRWIN: Page 2, line 2, strike out "\$26.59" and insert in lieu thereof "\$25.66."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JERRY ESPOSITO

The next business on the Private Calendar was the bill (H. R. 11608) for the relief of Jerry Esposito.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jerry Esposito the sum of \$1,000, covering bond guaranteeing the departure from the United States of Antonio Esposito: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

J. T. BONNER

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to take up out of order the bill (H. R. 8438) for the relief of J. T. Bonner.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to take up the bill H. R. 8438. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, plus interest and cost of court incident, to J. T. Bonner, Savannah, Ga., which represents the loss sustained by the said J. T. Bonner on the bail bond of Lee R. Smith, alias R. L. Simmons, who was afterwards captured and returned to officers of the United States court by and through the efforts of said J. T. Bonner; the record of said estreatment of said bond being shown in the report of the clerk of the United States Court for the southern district of Georgia, in the Savannah division, said order of estreatment bearing date of February 8, 1928.

With the following committee amendment:

Page 1, line 6, strike out the words "plus interest and cost of court incident."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JOSEPH FANEUF

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to take up and consider the bill (H. R. 6195) for the relief of Joseph Faneuf.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Joseph Faneuf, alias Joe Faneuf, who was a member of Company A, Ninety-eighth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 12th day of November, 1864: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Page 1, line 5, strike out the word "alias" and insert the words "otherwise known as."

Mr. STAFFORD. Mr. Speaker, I am opposed to the committee amendment for the reason that I and the Committee on Military Affairs regard the word "alias" as the proper legal term.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the committee amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Amend the title so as to read: "A bill for the relief of Joseph Faneuf, otherwise known as Joe Faneuf."

THOMAS W. BATH

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent to return to Calendar No. 339, the bill H. R. 9564, for the relief of Thomas W. Bath.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas W. Bath, who was first lieutenant and assistant surgeon in the Second Regiment Illinois Volunteer Infantry, Spanish War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States April 26, 1899, credited with 90 days' service, and eligible to all benefits accruing under the law of May 1, 1926, and all acts amendatory thereto: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.



I. L. LYONS &amp; CO.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to take up out of order H. R. 2628, to authorize an appropriation for the relief of I. L. Lyons & Co., Calendar No. 921.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I shall have to object. We have not examined bills that far along on the calendar, and it is not fair to those charged with that responsibility.

Mr. O'CONNOR of Louisiana. Mr. Speaker, the gentleman from Wisconsin [Mr. SCHAFER] practically fine-tooth-combed this bill. I never saw anything in my life which was scrutinized so mercilessly. The fact that that hawk-eyed vigilant and indefatigable watchdog of the Treasury, and I mean that 100 per cent, as chairman of the Subcommittee on Claims, reported the I. L. Lyons & Co. bill favorably as it is here presented speaks volumes that I can not speak or write, and should assure anyone in this House of the merit of the bill and is my justification for asking for its consideration out of order. The bill should have been passed two years ago. Lyons & Co. are among the most reputable druggists in the United States, and they bought whisky from the Department of the Treasury and from the Department of Justice through the collector of the port and the United States marshal's office in New Orleans and after they paid their money to the Government they were told that the whisky could not be used for medicinal purposes, for which it had been sold, and that the only way for them to get their money back was through an act of Congress, and I have been trying to get them relief and release my Government from the reputation of being a commercial cheat and swindler.

Mr. STAFFORD. It is true that there may be merit in the bill.

Mr. O'CONNOR of Louisiana. In my judgment they have gotten about the rottenest deal from the Treasury Department that any business people in the country have suffered.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. O'CONNOR of Louisiana. Bills have been considered of Members who have not been here for weeks, while men who are diligent and are devoted to their service and remain here all day long, and day after day, get about as raw a deal as can be handed to them. Diligence should have its reward and my good friend from Wisconsin, who is ever and always on the job, ought to have a heart.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 745. An act for the relief of B. Frank Shetter;

H. R. 3430. An act for the relief of Anthony Marcum;

H. R. 3764. An act for the relief of Ruban W. Riley;

H. R. 7643. An act to establish a term of the District Court of the United States for the District of Nevada at Las Vegas, Nev.;

H. R. 11050. An act to transfer Willacy County in the State of Texas from the Corpus Christi division of the southern district of Texas to the Brownsville division of such district;

H. J. Res. 251. Joint resolution to promote peace and to equalize the burdens and to minimize the profits of war; and

H. J. Res. 311. Joint resolution for the participation of the United States in an exposition to be held at Paris, France, in 1931.

#### ADJOURNMENT

Mr. IRWIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until Monday, June 23, 1930, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

558. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Tradewater River, Ky., covering navigation, flood control, power development, and irrigation (H. Doc. No. 479); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

559. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Amite River, La., covering navigation, flood control, power development, and irrigation (H. Doc.

No. 480); to the Committee on Rivers and Harbors and ordered to be printed.

560. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Kennebunk River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 481); to the Committee on Rivers and Harbors and ordered to be printed.

561. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Perkiomen Creek, Pa., covering navigation, flood control, power development, and irrigation (H. Doc. No. 482); to the Committee on Rivers and Harbors and ordered to be printed.

562. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Salmon Falls River, Me. and N. H., covering navigation, flood control, power development, and irrigation (H. Doc. No. 483); to the Committee on Rivers and Harbors and ordered to be printed.

563. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Tangipahoa River, La., covering navigation, flood control, power development, and irrigation (H. Doc. No. 484); to the Committee on Rivers and Harbors and ordered to be printed.

564. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Poultney River, N. Y. and Vt., covering navigation, flood control, power development, and irrigation (H. Doc. No. 485); to the Committee on Rivers and Harbors and ordered to be printed.

565. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Tohickon Creek, Pa., covering navigation, flood control, power development, and irrigation (H. Doc. No. 486); to the Committee on Rivers and Harbors and ordered to be printed.

566. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Chefuncte River, La., covering navigation, flood control, power development, and irrigation (H. Doc. No. 487); to the Committee on Rivers and Harbors and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on the Public Lands. H. R. 12404. A bill to amend the act of April 9, 1924, so as to provide for national park approaches; with amendment (Rept. No. 1999). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 11013. A bill to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes; without amendment (Rept. No. 2000). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. S. 4551. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto; without amendment (Rept. No. 2001). Referred to the House Calendar.

Mr. HALL of Indiana: Committee on the District of Columbia. S. J. Res. 182. A joint resolution prohibiting location or erection of any wharf or dock or artificial fill or bulkhead or other structure on the shores or in the waters of the Potomac River within the District of Columbia without the approval of the Commissioners of the District of Columbia and the Director of Public Buildings and Public Parks of the National Capital; with amendment (Rept. No. 2002). Referred to the House Calendar.

Mr. COLE: Committee on Foreign Affairs. H. R. 9326. A bill to amend the act entitled "An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February, 1925," approved May 22, 1926, as amended; without amendment (Rept. No. 2003). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. S. 4612. An act for the relief of the Corporation C. P. Jensen; without amendment (Rept. No. 1997). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8487. A bill for the relief of Capt. Chester J. Dick; with amendment (Rept. No. 1998). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PITTENGER: A bill (H. R. 13095) authorizing the Secretary of the Treasury to convey certain lands in the city of Duluth, Minn., for park purposes; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13096) to regulate, control, and safeguard the disbursement of Federal funds expended for or incident to the flood control of the Mississippi River or its tributaries, for the creation, construction, extensions, repair, or ornamentation of any levee, excavation, dredging, drainage, dam, spillway, highway, bridge, road, public buildings, or other construction project, and for other purposes; to the Committee on Flood Control.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 13097) granting a pension to Addie Gardner; to the Committee on Invalid Pensions.

By Mr. BACHMANN: A bill (H. R. 13098) for the relief of Amy Harding; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 13099) granting a pension to Frank Schonfeld; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 13100) for the relief of Charles McGee; to the Committee on Military Affairs.

By Mr. DUNBAR: A bill (H. R. 13101) granting a pension to Samuel Gray; to the Committee on Pensions.

By Mr. EATON of New Jersey: A bill (H. R. 13102) granting an increase of pension to Juliet B. Gemberling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13103) granting an increase of pension to Mary Balliet; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 13104) for the relief of Henry Walden Griffin; to the Committee on World War Veterans' Legislation.

By Mr. KURTZ: A bill (H. R. 13105) granting a pension to William S. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13106) granting an increase of pension to Annie Wambaugh; to the Committee on Invalid Pensions.

By Mr. RANKIN: A bill (H. R. 13107) for the relief of Grover Cleveland Ballard; to the Committee on War Claims.

By Mr. SEIBERLING: A bill (H. R. 13108) for the relief of Charles N. Middleton; to the Committee on Military Affairs.

By Mr. STRONG of Kansas: A bill (H. R. 13109) granting a pension to Elsbeth S. Rennwanz; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7619. Petition of the Presbyterian Church in the United States of America, declaring its belief that the right and duty of citizenship should not be conditioned upon the test of ability or willingness, contrary to conscience, to bear arms or to take part as a combatant of war; to the Committee on Immigration and Naturalization.

7620. By Mr. CULLEN: Resolution of the Board of Estimate and Apportionment of the City of New York, petitioning the Members from New York of the United States Senate and House of Representatives to endeavor to secure the appropriation of \$25,000 necessary to carry out the provisions of the item in the rivers and harbors bill now before the Congress (H. R. 11781), which provides for the appointment of a committee of Army and civilian engineers to investigate and study and devise effective means of preventing erosion of the shores of coastal and lake waters by waves and currents; to the Committee on Rivers and Harbors.

7621. By Mr. FITZPATRICK: Petition of the Board of Estimate and Apportionment of the City of New York, urging the appropriation of \$25,000 necessary to carry out the provisions of the item in the rivers and harbors bill providing for the appointment of a committee of Army and civilian engineers to investigate and study and devise effective means of preventing erosion of the shores of coastal and lake waters by waves and currents; to the Committee on Rivers and Harbors.

7622. By Mr. GAVAGAN: Resolution of the Board of Estimate and Apportionment of the City of New York, indorsing appropriation of \$25,000 necessary to carry out provisions of the item in the rivers and harbors bill (H. R. 11781), which provides for appointment of committee of Army and civilian engineers to investigate and study and devise effective means of preventing erosion of the shores of coastal and lake waters by waves and currents; to the Committee on Rivers and Harbors.

7623. By Mr. O'CONNOR of New York: Resolution of the Board of Estimate and Apportionment of the City of New York, indorsing appropriation of \$25,000 necessary to carry out provisions of the item in the rivers and harbors bill (H. R. 11781), which provides for appointment of committee of Army and civilian engineers to investigate and study and devise effective means of preventing erosion of the shores of coastal and lake waters by waves and currents; to the Committee on Rivers and Harbors.

7624. By Mr. ROBINSON: Petition signed by Mrs. F. L. Collis, president, and Mrs. Olga Surls, secretary, of the Flower Mission, under the auspices of the Woman's Christian Temperance Union of Iowa Falls, Iowa, urging the passage of legislation for the Federal supervision of motion pictures, establishing a higher standard before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7625. By Mr. SHOTT of West Virginia: Petition of Division No. 140, Order of Railway Conductors, Hinton, W. Va., approving the Couzens resolution, suspending the authority of the Interstate Commerce Commission in merging or grouping railroads, etc.; to the Committee on Interstate and Foreign Commerce.

7626. Also, petition of Hinton (W. Va.) Lodge, No. 236, Brotherhood of Locomotive Firemen and Enginemen, approving the resolution of Senator Couzens suspending the authority of the Interstate Commerce Commission in merging or grouping railroads, etc.; to the Committee on Interstate and Foreign Commerce.

7627. By Mr. YATES: Petition of Louis A. Cejka, secretary International Association of Machinists, 113 South Ashland Boulevard, Chicago, Ill., urging the immediate passage of the 44-hour bill; to the Committee on the Civil Service.

7628. Also, petition of J. A. Palmgren, secretary Calumet Joint Labor Council, 32 West One hundred and eighteenth Street, Chicago, Ill., requesting the consideration and passage of the Saturday half holiday bill; to the Committee on the Civil Service.